

**MONDAY, APRIL 20, 2015**

**TWENTY-SIXTH LEGISLATIVE DAY**

The House met at 3:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Leo Doyle, Wayne County Bible Center, Waynesboro, TN.

Representative Byrd led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 92

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 92

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Miller; personal

Representative Carr ; illness

Representative Womick; illness

**PRESENT IN CHAMBER**

Rep. Durham was recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 203** Reps. Parkinson and Hardaway as prime sponsors.

**House Joint Resolution No. 380** Rep. Travis as prime sponsor.

**House Joint Resolution No. 388** Rep. Gilmore as prime sponsor.

**House Joint Resolution No. 397** Rep. Lynn as prime sponsor.

**House Joint Resolution No. 400** Rep. Pody as prime sponsor.

**House Joint Resolution No. 426** Rep. Harwell as second prime sponsor.

**House Joint Resolution No. 426** Reps. Powell and Love as prime sponsors.

**House Bill No. 10** Reps. Hardaway, Marsh, Hazlewood, Powers, M. White, Camper, Carter, Littleton, Lynn, McManus, Butt, Akbari, Favors, Sparks, Kane, Miller, Johnson and Daniel as prime sponsors.

**House Bill No. 41** Rep. Gilmore as prime sponsor.

**House Bill No. 57** Reps. Gilmore, M. White, Byrd, Miller, Favors, Holt, Powers, Parkinson and Turner as prime sponsors.

**House Bill No. 103** Rep. Hardaway as prime sponsor.

**House Bill No. 131** Rep. D. White as prime sponsor.

**House Bill No. 147** Reps. Kumar, Gravitt, J. Sexton, Favors, Carter, Smith, Coley, Moody as prime sponsors.

**House Bill No. 181** Reps. Hardaway and M. White as prime sponsors.

**House Bill No. 196** Reps. Hardaway, Parkinson, Turner, Towns, Cooper, Favors, Clemmons as prime sponsors.

**House Bill No. 216** Rep. Hardaway as prime sponsor.

**House Bill No. 309** Reps. Stewart, Armstrong, Powell, Byrd, Lamberth, Hardaway, H. Brooks, Dunlap, Todd, Towns, Lollar, Butt, M. White, Kane and Moody as prime sponsors.

**House Bill No. 392** Rep. Todd as prime sponsor.

**House Bill No. 440** Reps. Favors, Todd and Hazlewood as prime sponsors.

**House Bill No. 490** Rep. Towns as prime sponsor.

**House Bill No. 567** Reps. Turner, Hardaway, Parkinson, M. White as prime sponsors.

**House Bill No. 614** Reps. Hardaway, Powell, Dunlap and Gilmore as prime sponsors.

**House Bill No. 646** Reps. Littleton, Lynn, Goins and Sparks as prime sponsors.

**House Bill No. 735** Rep. Stewart as prime sponsor.

**House Bill No. 867** Rep. Terry as prime sponsor.

**House Bill No. 921** Reps. Parkinson, Cooper, Camper, Favors, Gilmore, Stewart, Clemmons, Hardaway and Turner as prime sponsors.

**House Bill No. 962** Reps. Favors, Carter, Powell, M. White, Coley and Daniel as prime sponsors.

**House Bill No. 992** Reps. Clemmons, McManus and Hardaway as prime sponsors.

**House Bill No. 1035** Reps. Kumar, Carter, H. Brooks, Faison, Wilburn, Eldridge, Butt, Lamberth, K. Brooks, Alexander, Smith, Travis, Sparks and Durham as prime sponsors.

**House Bill No. 1036** Reps. Ramsey, Powell, Hardaway as prime sponsors.

**House Bill No. 1039** Rep. Favors as prime sponsor.

**House Bill No. 1046** Rep. Terry as prime sponsor.

**House Bill No. 1174** Reps. Hardaway, Powell and Armstrong as prime sponsors.

**House Bill No. 1186** Reps. Ragan and Hardaway as prime sponsors.

**House Bill No. 1272** Reps. Stewart and Miller as prime sponsors.

**House Bill No. 1291** Reps. Terry, Wirgau, Dunlap, Kane, Carter, Moody, Hardaway and Hazlewood as prime sponsors.

**House Bill No. 1339** Rep. J. Sexton as prime sponsor.

**House Bill No. 1342** Rep. J. Sexton as prime sponsor.

**MESSAGE FROM THE SENATE**  
**April 17, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 143; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1351; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1242; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 67; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 67** -- Constitutional Amendments - As introduced, makes application for the calling of an Article V convention under the United States Constitution to consider amendments to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. by \*Bell, \*Jackson, \*Stevens, \*Green, \*Johnson.

**MESSAGE FROM THE SENATE**

**April 17, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 282, 283, 284, 285 and 286; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 282** -- Memorials, Recognition - Savannah Joy Kawa, 2015 Youth Leadership Award. by \*Overbey.

**Senate Joint Resolution No. 283** -- Memorials, Interns - Charles Chadwell. by \*Johnson.

**Senate Joint Resolution No. 284** -- Memorials, Personal Achievement - David O. Hancock, Eagle Scout. by \*Johnson.

**Senate Joint Resolution No. 285** -- Memorials, Recognition - Dr. Lee Ward, elevated to Auxiliary Bishop within the Church of God in Christ. by \*Tate.

**Senate Joint Resolution No. 286** -- Memorials, Personal Achievement - Mason Dabbs, Eagle Scout. by \*Hensley.

**MESSAGE FROM THE SENATE**  
**April 17, 2015**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 95, 578, 122, 151, 1011, 707, 776, 1221, 1374, 1375 and 1376; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 60, 85, 96, 199, 332, 531, 573, 574, 606, 638, 711, 728, 740, 998, 1162, 1335 and 1391; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 60** -- Judges and Chancellors - As introduced, creates a new circuit court judge position in the 19th judicial district, with the position to be filled by appointment of the governor. - Amends TCA Title 16, Chapter 2. by \*Green, \*Roberts, \*Norris. (HB55 by \*Johnson, \*Kumar)

**\*Senate Bill No. 85** -- Intellectual & Developmental Disabilities - As introduced, extends the tax on intermediate care facilities; changes references from "intermediate care facility for the mentally retarded (ICF/MR)" to "intermediate care facility for individuals with intellectual disabilities (ICF/IID)". - Amends TCA Section 68-11-830. by \*Norris, \*Watson, \*Ketron. (HB75 by \*McCormick, \*Brooks K)

**\*Senate Bill No. 96** -- Public Contracts - As introduced, authorizes Internet publication of advertisements seeking to lease space for use of a state agency; increases from \$25,000 to \$50,000 the amount of a lease for which advertising is not required. - Amends TCA Title 12, Chapter 2, Part 1. by \*Norris. (HB85 by \*McCormick, \*Brooks K, \*Hawk)

**\*Senate Bill No. 199** -- Tobacco, Tobacco Products - As introduced, redefines "cost of doing business by the retailer" from eight percent of basic costs of cigarettes to retailer to 15 percent of basic costs of cigarettes to retailer. - Amends TCA Title 47, Chapter 25, Part 3. by \*Crowe, \*Overbey. (HB225 by \*Marsh, \*Shepard, \*Byrd, \*Butt, \*Eldridge, \*Matheny, \*Wirgau, \*Harrison, \*Hawk, \*Carr, \*Swann, \*Lundberg, \*Pitts, \*McManus)

**\*Senate Bill No. 332** -- Local Government, General - As introduced, broadens the definition of a governmental entity under the Tennessee Governmental Tort Liability Act to include a nonprofit corporation existing exclusively to manage, maintain, and support

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government-owned property on behalf of a governmental entity. - Amends TCA Section 29-20-102. by \*Norris. (HB568 by \*DeBerry)

**Senate Bill No. 531** -- Bail, Bail Bonds - As introduced, authorizes professional bondsmen to charge up to 15 percent rather than 10 percent of the face value of a criminal appearance bond if the defendant is not a resident of the state. - Amends TCA Title 40, Chapter 11, Part 3. by \*Gresham. (\*HB306 by \*McDaniel)

**Senate Bill No. 573** -- Hospitals and Health Care Facilities - As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home and skilled nursing facility beds until June 30, 2016. - Amends TCA Section 68-11-1609 and Section 68-11-1622. by \*Overbey, \*Yager. (\*HB517 by \*Harrison)

**Senate Bill No. 574** -- Hospitals and Health Care Facilities - As introduced, requires TennCare bureau to provide notice to health committee chairs prior to making pro rata payment reductions from nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by \*Overbey. (\*HB515 by \*Harrison)

**\*Senate Bill No. 606** -- Salaries and Benefits - As introduced, deletes provisions providing longevity payments for executive branch employees; gives employee a permanent one-time pay increase equal to half of the longevity payment the employee is due as of June 30, 2015; requires remaining funds for employee longevity to be reallocated to the general fund for the sole purpose of funding a merit pay system. - Amends TCA Title 8 and Title 38. by \*Norris. (HB647 by \*McCormick, \*Haynes)

**\*Senate Bill No. 638** -- Criminal Offenses - As introduced, enacts the "Neighborhood Protection Act." - Amends TCA Title 39 and Title 40. by \*Johnson, \*Harris. (HB843 by \*Parkinson, \*Powell, \*Miller, \*Armstrong, \*Cooper, \*Hardaway, \*Love)

**\*Senate Bill No. 711** -- Veterans - As introduced, enacts the "Criminal Justice Veterans Compensation Act of 2015" or the "CJVC Act." - Amends TCA Title 16; Title 39, Chapter 17 and Title 55, Chapter 10, Part 4. by \*Green, \*Briggs, \*Gardenhire, \*Gresham, \*Bailey, \*Bowling. (HB854 by \*White D, \*Jernigan, \*Windle, \*Rogers, \*Howell, \*Wilburn, \*Hazlewood, \*Littleton, \*VanHuss, \*Hill T, \*Keisling, \*Matlock, \*Farmer, \*Spivey, \*Powers, \*Carter, \*Powell, \*Pitts, \*Love, \*Shepard, \*White M, \*Durham, \*Byrd, \*Marsh, \*Reedy, \*Butt, \*Lamberth, \*Faison, \*Ramsey, \*Casada, \*Smith, \*Sargent, \*Sparks, \*Sanderson, \*Sexton C, \*Brooks K, \*Beck, \*Coley, \*Armstrong, \*Shaw, \*Mitchell, \*Stewart, \*Akbari, \*Miller, \*Hardaway, \*Towns, \*Turner, \*Forgety, \*Womick, \*Holt, \*Johnson, \*Kane, \*Moody, \*Terry, \*Haynes, \*Todd, \*Travis, \*Fitzhugh, \*Goins, \*Parkinson)

**\*Senate Bill No. 728** -- Tourism - As introduced, adds hunting and fishing preserves, art galleries, zoos, aquariums, and performing arts facilities to the list of man-made tourist attractions that the department of tourist development may place emphasis on in promotional materials supplied at welcome centers. - Amends TCA Title 4, Chapter 3; Title 12 and Title 54. by \*Southerland. (HB855 by \*Goins)

**\*Senate Bill No. 740** -- Schools, Charter - As introduced, allows formation of charter schools for students with specific academic needs; allows such charter schools to establish

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academic admission criteria. - Amends TCA Title 49, Chapter 13. by \*Kelsey, \*Gresham. (HB1273 by \*Durham, \*White M, \*DeBerry)

**Senate Bill No. 998** -- Taxes, Sales - As introduced, revises the Border Region Retail Tourism Development District Act to permit municipalities to report the cost of an economic development project within 30 days of the end of each fiscal year; clarifies that municipalities may disclose the amount of a payment made to a private party even if the payment is derived from sales and use taxes collected from a single parcel of property. - Amends TCA Title 7, Chapter 40 and Title 67, Chapter 1, Part 17. by \*Gardenhire. (\*HB1039 by \*McCormick, \*Gravitt, \*Carter, \*Hazlewood)

**Senate Bill No. 1162** -- Treasurer, State - As introduced, enacts "The Achieving a Better Life Experience Act" of 2015. by \*Massey, \*Dickerson, \*Yager, \*Norris. (\*HB999 by \*McManus, \*Brooks K)

**Senate Bill No. 1335** -- Salaries and Benefits - As introduced, clarifies that any state employee selected to serve on the state insurance committee must be a participant in the state group insurance plan. - Amends TCA Title 4 and Title 8. by \*McNally. (\*HB1232 by \*Johnson)

**Senate Bill No. 1391** -- Children and Youth, Commission on - As introduced, removes obsolete language relative to the initial appointments made to the commission on children and youth. - Amends TCA Title 37, Chapter 3, Part 1. by \*Overbey. (\*HB1272 by \*Love, \*White M)

**MESSAGE FROM THE SENATE**  
**April 17, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 284, 612, 1123 and 1216; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 284** -- Physicians and Surgeons - As introduced, establishes a process for reimbursing physicians for services rendered during the pendency of a credentialing application before a health insurance entity. - Amends TCA Title 56. by \*Briggs, \*Green, \*Bowling, \*Watson. (HB440 by \*Terry, \*Byrd, \*Gravitt, \*White D, \*Kumar)

**\*Senate Bill No. 612** -- Students - As introduced, exempts certain students from payment of out-of-state tuition at state institutions of higher education. - Amends TCA Title 4, Chapter 58; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*Gardenhire, \*Yarbro, \*Tate. (HB675 by \*White M, \*McCormick, \*Powell, \*Jones, \*Camper, \*Clemmons, \*Jernigan, \*Hardaway, \*DeBerry, \*Smith, \*Miller, \*Kumar, \*Akbari, \*Todd, \*McDaniel, \*McManus, \*Hazlewood, \*Turner, \*Towns, \*Parkinson)

**\*Senate Bill No. 1123** -- Metropolitan Government - As introduced, permits a county with a metropolitan government that has purchased real property at a delinquent tax sale to authorize the conveyance of the real property by grant or donation to a nonprofit organization for the purpose of constructing affordable or workplace housing. - Amends TCA Title 7, Chapter 3, Part 3 and Title 67, Chapter 5, Part 25. by \*Yarbro. (HB1174 by \*Clemmons, \*Jones, \*Gilmore)

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**Senate Bill No. 1216** -- Taxes, Real Property - As introduced, authorizes courts to combine or subdivide properties for tax sale purposes; clarifies procedure for dealing with excess tax sale proceeds; revises other provisions concerning tax sales. - Amends TCA Title 35, Chapter 5; Title 66 and Title 67, Chapter 5. by \*Johnson. (\*HB1254 by \*Sargent)

**MESSAGE FROM THE SENATE**  
**April 17, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 289, 290, 292, 293, 294 and 295; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR**  
**April 17, 2015**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 125, 29, 135, 277, 384, 399, 547, 639, 817, 1385, 66, 256, 319, 461, 832, and 1245; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 17, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 83, 219, 523, 575, 661, 674, 704, 783, 820, 899, 1204, 1213, 1239, 1285, 1387, 1388, 1390, 1392 and 1393; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS**  
**April 17, 2015**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 473, 556, 593, 606 and 644; also House Joint Resolutions Nos. 218, 248, 271, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377 and 378.

GREG GLASS, Chief Engrossing Clerk

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Representative Shaw was recognized in the Well to honor the Middleton High School Lady Tigers Basketball Team.

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**RECOGNITION IN THE WELL**

Representative Weaver was recognized in the Well to honor Defeated Elementary School girls' basketball.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 258, adopted April 6, 2015.

**House Joint Resolution No. 258** -- Memorials, Sports - Defeated Elementary School girls' basketball, Class 1A state champions. by \*Weaver.

**RECOGNITION IN THE WELL**

Representative Turner was recognized in the Well to honor Johnnie B. Watson, president of LeMoyne-Owen College.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 409.

**House Joint Resolution No. 409** -- Memorials, Retirement - Johnnie B. Watson, president of LeMoyne-Owen College. by \*Turner.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 21, 2015:

**House Resolution No. 91** -- Memorials, Interns - Nathaniel Gooch. by \*Sargent.

**House Resolution No. 92** -- Memorials, Interns - Josh Cahill. by \*Williams.

**House Resolution No. 93** -- Memorials, Academic Achievement - Heaven Lee Anhalt, Valedictorian, Hillwood High School. by \*Clemmons.

**House Resolution No. 94** -- Memorials, Interns - Danielle King. by \*Sargent.

**House Resolution No. 95** -- Memorials, Academic Achievement - Casey White, Student Body President, Hillwood High School. by \*Clemmons.

**House Resolution No. 96** -- Memorials, Academic Achievement - Kenan Sakic, Salutatorian, Hillwood High School. by \*Clemmons.

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**House Resolution No. 98** -- Memorials, Interns - Jillian Cantrell. by \*Hardaway, \*Love, \*Akbari, \*Mitchell, \*Towns, \*Turner, \*Favors, \*DeBerry, \*Shaw, \*Miller, \*Armstrong, \*Camper, \*Gilmore.

**House Resolution No. 99** -- Memorials, Interns - Ja'Vonta Seals. by \*Hardaway, \*Mitchell, \*Towns, \*Turner, \*Favors, \*DeBerry, \*Shaw, \*Miller, \*Camper, \*Gilmore, \*Armstrong.

**House Resolution No. 100** -- Memorials, Recognition - Commemorates the Armenian Genocide Centennial. by \*Moody.

**House Joint Resolution No. 407** -- Memorials, Interns - Caleb Thomas. by \*Eldridge.

**House Joint Resolution No. 408** -- Memorials, Death - Kyle Copenhagen Testerman. by \*Daniel.

**House Joint Resolution No. 409** -- Memorials, Retirement - Johnnie B. Watson, president of LeMoyne-Owen College. by \*Turner.

**House Joint Resolution No. 410** -- Memorials, Interns - Hamid Farzam. by \*Turner, \*Akbari.

**House Joint Resolution No. 411** -- Memorials, Academic Achievement - Ronnie Biddinger, Top 10 student, Volunteer High School. by \*Harrison.

**House Joint Resolution No. 412** -- Memorials, Recognition - Rogersville City School, Beth Christian's third-grade class. by \*Harrison.

**House Joint Resolution No. 413** -- Memorials, Recognition - Rogersville City School, Jessica Greer's third-grade class. by \*Harrison.

**House Joint Resolution No. 414** -- Memorials, Recognition - Rogersville City School, Susan Thames's third-grade class. by \*Harrison.

**House Joint Resolution No. 415** -- Memorials, Recognition - Rogersville City School, Ashley Singleton's third-grade class. by \*Harrison.

**House Joint Resolution No. 416** -- Memorials, Academic Achievement - Kenzie Dixon, Top Ten student, Volunteer High School. by \*Harrison.

**House Joint Resolution No. 417** -- Memorials, Academic Achievement - Rachel Moncier, Top Ten student, Volunteer High School. by \*Harrison.

**House Joint Resolution No. 418** -- Memorials, Academic Achievement - Laura Carr, Top Ten student, Volunteer High School. by \*Harrison.

**House Joint Resolution No. 419** -- Memorials, Academic Achievement - Cheril Patel, Top Ten student, Volunteer High School. by \*Harrison.

**House Joint Resolution No. 420** -- Memorials, Recognition - Bill King Reece, director, Smith County After School Theatre Company. by \*Weaver.

**House Joint Resolution No. 421** -- Memorials, Interns - Emily Katherine Saylor. by \*Forgey.

**House Joint Resolution No. 422** -- Memorials, Academic Achievement - Bailey Nicole Lowe, Valedictorian, Ooltewah High School. by \*Carter.

**House Joint Resolution No. 423** -- Memorials, Academic Achievement - Noah Campbell Cuttle, Salutatorian, Ooltewah High School. by \*Carter.

**House Joint Resolution No. 424** -- Memorials, Recognition - Morris Jerome Taylor, 35 years of volunteer prison ministry. by \*Fitzhugh.

**House Joint Resolution No. 425** -- Memorials, Academic Achievement - Gabrielle Hallmark, Salutatorian, Spring Hill High School. by \*Butt.

**House Joint Resolution No. 428** -- Memorials, Academic Achievement - Cartavius Turner, Salutatorian, Memphis Health Careers Academy. by \*Hardaway.

**House Joint Resolution No. 429** -- Memorials, Academic Achievement - Chulisia Pierce, Valedictorian, Memphis Health Careers Academy. by \*Hardaway.

**House Joint Resolution No. 430** -- Memorials, Academic Achievement - Eric Sah, Salutatorian, White Station High School. by \*Hardaway.

**House Joint Resolution No. 431** -- Memorials, Academic Achievement - Linnie Jiang, Valedictorian, White Station High School. by \*Hardaway.

**House Joint Resolution No. 432** -- Memorials, Academic Achievement - Kelly Yuan, Salutatorian, White Station High School. by \*Hardaway.

**House Joint Resolution No. 433** -- Memorials, Academic Achievement - Iris Ramierz, Salutatorian, Overton High School. by \*Hardaway.

**House Joint Resolution No. 434** -- Memorials, Academic Achievement - Kayla Adams, Valedictorian, Overton High School. by \*Hardaway.

**House Joint Resolution No. 435** -- Memorials, Academic Achievement - Taylor Nicole Haywood, Salutatorian, Memphis Academy of Health Sciences. by \*Hardaway.

**House Joint Resolution No. 436** -- Memorials, Academic Achievement - Chelsey Danielle Jones, Valedictorian, Memphis Academy of Health Sciences. by \*Hardaway.

**House Joint Resolution No. 437** -- Memorials, Death - Ralph Yelton. by \*Hill M, \*VanHuss, \*Hill T.

**House Joint Resolution No. 438** -- Memorials, Recognition - Call to Prayer for America. by \*Pody.

**House Joint Resolution No. 439** -- Memorials, Interns - Clinton Samuel Sprinkle. by \*Harwell.

**House Joint Resolution No. 440** -- Memorials, Interns - Marc Meredith. by \*Hardaway, \*Towns.

**House Joint Resolution No. 441** -- Memorials, Interns - Ja'Vonta Seals. by \*Towns.

### **RESOLUTIONS LYING OVER**

On motion, the resolution listed was referred to the appropriate Committee:

**Senate Joint Resolution No. 67** -- Constitutional Amendments - As introduced, makes application for the calling of an Article V convention under the United States Constitution to consider amendments to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress. by \*Bell, \*Jackson, \*Stevens, \*Green, \*Johnson.

House State Government Committee

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 60** -- Judges and Chancellors - As introduced, creates a new circuit court judge position in the 19th judicial district, with the position to be filled by appointment of the governor. - Amends TCA Title 16, Chapter 2. by \*Green, \*Roberts, \*Norris. (HB55 by \*Johnson, \*Kumar)

**\*Senate Bill No. 85** -- Intellectual & Developmental Disabilities - As introduced, extends the tax on intermediate care facilities; changes references from "intermediate care facility for the mentally retarded (ICF/MR)" to "intermediate care facility for individuals with intellectual disabilities (ICF/IID)". - Amends TCA Section 68-11-830. by \*Norris, \*Watson, \*Ketron. (HB75 by \*McCormick, \*Brooks K)

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**\*Senate Bill No. 332** -- Local Government, General - As introduced, broadens the definition of a governmental entity under the Tennessee Governmental Tort Liability Act to include a nonprofit corporation existing exclusively to manage, maintain, and support government-owned property on behalf of a governmental entity. - Amends TCA Section 29-20-102. by \*Norris. (HB568 by \*DeBerry)

**Senate Bill No. 531** -- Bail, Bail Bonds - As introduced, authorizes professional bondsmen to charge up to 15 percent rather than 10 percent of the face value of a criminal appearance bond if the defendant is not a resident of the state. - Amends TCA Title 40, Chapter 11, Part 3. by \*Gresham. (\*HB306 by \*McDaniel)

**Senate Bill No. 573** -- Hospitals and Health Care Facilities - As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home and skilled nursing facility beds until June 30, 2016. - Amends TCA Section 68-11-1609 and Section 68-11-1622. by \*Overbey, \*Yager. (\*HB517 by \*Harrison)

**Senate Bill No. 574** -- Hospitals and Health Care Facilities - As introduced, requires TennCare bureau to provide notice to health committee chairs prior to making pro rata payment reductions from nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by \*Overbey. (\*HB515 by \*Harrison)

**\*Senate Bill No. 606** -- Salaries and Benefits - As introduced, deletes provisions providing longevity payments for executive branch employees; gives employee a permanent one-time pay increase equal to half of the longevity payment the employee is due as of June 30, 2015; requires remaining funds for employee longevity to be reallocated to the general fund for the sole purpose of funding a merit pay system. - Amends TCA Title 8 and Title 38. by \*Norris. (HB647 by \*McCormick, \*Haynes)

**\*Senate Bill No. 612** -- Students - As introduced, exempts certain students from payment of out-of-state tuition at state institutions of higher education. - Amends TCA Title 4, Chapter 58; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*Gardenhire, \*Yarbro, \*Tate. (HB675 by \*White M, \*McCormick, \*Powell, \*Jones, \*Camper, \*Clemmons, \*Jernigan, \*Hardaway, \*DeBerry, \*Smith, \*Miller, \*Kumar, \*Akbari, \*Todd, \*McDaniel, \*McManus, \*Hazlewood, \*Turner, \*Towns, \*Parkinson)

**\*Senate Bill No. 638** -- Criminal Offenses - As introduced, enacts the "Neighborhood Protection Act." - Amends TCA Title 39 and Title 40. by \*Johnson, \*Harris. (HB843 by \*Parkinson, \*Powell, \*Miller, \*Armstrong, \*Cooper, \*Hardaway, \*Love)

**\*Senate Bill No. 711** -- Veterans - As introduced, enacts the "Criminal Justice Veterans Compensation Act of 2015" or the "CJVC Act." - Amends TCA Title 16; Title 39, Chapter 17 and

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Title 55, Chapter 10, Part 4. by \*Green, \*Briggs, \*Gardenhire, \*Gresham, \*Bailey, \*Bowling. (HB854 by \*White D, \*Jernigan, \*Windle, \*Rogers, \*Howell, \*Wilburn, \*Hazlewood, \*Littleton, \*VanHuss, \*Hill T, \*Keisling, \*Matlock, \*Farmer, \*Spivey, \*Powers, \*Carter, \*Powell, \*Pitts, \*Love, \*Shepard, \*White M, \*Durham, \*Byrd, \*Marsh, \*Reedy, \*Butt, \*Lamberth, \*Faison, \*Ramsey, \*Casada, \*Smith, \*Sargent, \*Sparks, \*Sanderson, \*Sexton C, \*Brooks K, \*Beck, \*Coley, \*Armstrong, \*Shaw, \*Mitchell, \*Stewart, \*Akbari, \*Miller, \*Hardaway, \*Towns, \*Turner, \*Forgety, \*Womick, \*Holt, \*Johnson, \*Kane, \*Moody, \*Terry, \*Haynes, \*Todd, \*Travis, \*Fitzhugh, \*Goins, \*Parkinson)

**\*Senate Bill No. 728** -- Tourism - As introduced, adds hunting and fishing preserves, art galleries, zoos, aquariums, and performing arts facilities to the list of man-made tourist attractions that the department of tourist development may place emphasis on in promotional materials supplied at welcome centers. - Amends TCA Title 4, Chapter 3; Title 12 and Title 54. by \*Southerland. (HB855 by \*Goins)

**\*Senate Bill No. 740** -- Schools, Charter - As introduced, allows formation of charter schools for students with specific academic needs; allows such charter schools to establish academic admission criteria. - Amends TCA Title 49, Chapter 13. by \*Kelsey, \*Gresham. (HB1273 by \*Durham, \*White M, \*DeBerry)

**Senate Bill No. 988** -- Public Health - As introduced, requires the bureau of TennCare, the department of health, the department of human resources, and the department of finance and administration to jointly develop certain plans and reports concerning diabetes to be made to the health and welfare committee of the senate and the health committee of the house every two years. - Amends TCA Title 63; Title 68 and Title 71. by \*Norris, \*Harper, \*Tate. (\*HB693 by \*Akbari, \*Camper, \*Love, \*Fitzhugh, \*Cooper, \*Favors, \*Jones, \*Shepard, \*Beck, \*Hardaway, \*Shaw, \*Towns, \*Stewart, \*Powell, \*Clemmons, \*Parkinson, \*Turner)

**\*Senate Bill No. 1123** -- Metropolitan Government - As introduced, permits a county with a metropolitan government that has purchased real property at a delinquent tax sale to authorize the conveyance of the real property by grant or donation to a nonprofit organization for the purpose of constructing affordable or workplace housing. - Amends TCA Title 7, Chapter 3, Part 3 and Title 67, Chapter 5, Part 25. by \*Yarbro. (HB1174 by \*Clemmons, \*Jones, \*Gilmore)

**Senate Bill No. 1216** -- Taxes, Real Property - As introduced, authorizes courts to combine or subdivide properties for tax sale purposes; clarifies procedure for dealing with excess tax sale proceeds; revises other provisions concerning tax sales. - Amends TCA Title 35, Chapter 5; Title 66 and Title 67, Chapter 5. by \*Johnson. (\*HB1254 by \*Sargent)

**Senate Bill No. 1162** -- Treasurer, State - As introduced, enacts "The Achieving a Better Life Experience Act" of 2015. by \*Massey, \*Dickerson, \*Yager, \*Norris. (\*HB999 by \*McManus, \*Brooks K)

**Senate Bill No. 1335** -- Salaries and Benefits - As introduced, clarifies that any state employee selected to serve on the state insurance committee must be a participant in the state group insurance plan. - Amends TCA Title 4 and Title 8. by \*McNally. (\*HB1232 by \*Johnson)

**Senate Bill No. 1391** -- Children and Youth, Commission on - As introduced, removes obsolete language relative to the initial appointments made to the commission on children and youth. - Amends TCA Title 37, Chapter 3, Part 1. by \*Overbey. (\*HB1272 by \*Love, \*White M)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1402** -- Clarksville -- House Local Government Committee

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 20, 2015**, reported the following:

**GOVERNMENT OPERATIONS COMMITTEE**

The Government Operations Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 980. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 1398, 1394, 1396, 1389, 1401, 1400, 1395 and Senate Joint Resolution No. 30. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1170. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**CONSENT CALENDAR**

**House Resolution No. 76** -- Memorials, Academic Achievement - Asha A. Cathey, Salutatorian, Melrose High School. by \*Hardaway.

**House Resolution No. 77** -- Memorials, Academic Achievement - Linnie Jiang, Valedictorian, White Station High School. by \*Hardaway.

**House Resolution No. 78** -- Memorials, Academic Achievement - Eric Sah, Salutatorian, White Station High School. by \*Hardaway.

**House Resolution No. 79** -- Memorials, Academic Achievement - Kelly Yuan, Salutatorian, White Station High School. by \*Hardaway.

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**House Resolution No. 80** -- Memorials, Academic Achievement - Taylor Nicole Haywood, Salutatorian, Memphis Academy of Health Sciences. by \*Hardaway, \*Akbari, \*Camper, \*Coley, \*Cooper, \*DeBerry, \*Lollar, \*McManus, \*Miller, \*Parkinson, \*Todd, \*Towns, \*Turner, \*White M.

**House Resolution No. 81** -- Memorials, Academic Achievement - Chelsey Danielle Jones, Valedictorian, Memphis Academy of Health Sciences. by \*Hardaway.

**House Resolution No. 82** -- Memorials, Academic Achievement - Chulisia K. Pierce, Valedictorian, Memphis Health Careers Academy. by \*Hardaway.

**House Resolution No. 83** -- Memorials, Academic Achievement - Cartavius L. Turner, Salutatorian, Memphis Health Careers Academy. by \*Hardaway.

**House Resolution No. 84** -- Memorials, Academic Achievement - Dellarontay A. Readus, Valedictorian, Melrose High School. by \*Hardaway.

**House Resolution No. 85** -- Memorials, Interns - Shaunice Passmore. by \*Cooper.

**House Resolution No. 86** -- Memorials, Sports - Lighthouse Christian School's girls' basketball 2015 State Champions. by \*Shaw, \*Eldridge.

**House Resolution No. 87** -- Memorials, Interns - Ashley K. Hayes. by \*Shaw, \*Eldridge.

**House Resolution No. 88** -- Memorials, Congratulations - H. C. and Dolores Milam Isbell, 70th wedding anniversary. by \*Wilburn.

**House Resolution No. 89** -- Memorials, Interns - Meghan Treece. by \*Dunn, \*Kane.

**House Resolution No. 90** -- Memorials, Interns - Colton Lee Adams. by \*Dunn.

**House Joint Resolution No. 379** -- Memorials, Interns - Brandon Woodruff. by \*Marsh.

**House Joint Resolution No. 380** -- Memorials, Recognition - Philip and Debra Beech, Tennessee Forestry Association's 2014 Tennessee Tree Farmers of the Year. by \*Reedy, \*Lollar, \*Halford, \*Holt.

**House Joint Resolution No. 381** -- Memorials, Interns - Robert Leonard. by \*McCormick.

**House Joint Resolution No. 382** -- Memorials, Retirement - Dr. Tim Harrison. by \*Hawk.

**House Joint Resolution No. 383** -- Memorials, Death - Charles Phillip Clinard Sr. by \*Powell.

**House Joint Resolution No. 384** -- Memorials, Academic Achievement - Nola G. Madison, Salutatorian, Northside High School. by \*Hardaway.



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**House Joint Resolution No. 385** -- Memorials, Academic Achievement - Amber J. Mitchell, Valedictorian, Northside High School. by \*Hardaway.

**House Joint Resolution No. 387** -- Memorials, Congratulations - Foothills Elementary School, 2014 National Blue Ribbon School. by \*Swann, \*Ramsey.

**House Joint Resolution No. 388** -- Memorials, Retirement - Sharon Peters. by \*Jones.

**House Joint Resolution No. 389** -- Memorials, Academic Achievement - T'Angela J. Knight, Valedictorian, Whitehaven High School. by \*Camper.

**House Joint Resolution No. 390** -- Memorials, Academic Achievement - Brittane N. Wells, Salutatorian, Whitehaven High School. by \*Camper.

**House Joint Resolution No. 391** -- Memorials, Academic Achievement - Kayla D. Adams, Valedictorian, Overton High School. by \*Camper.

**House Joint Resolution No. 392** -- Memorials, Academic Achievement - Iris Ramirez, Salutatorian, Overton High School. by \*Camper.

**House Joint Resolution No. 393** -- Memorials, Academic Achievement - Asha Leveria Kince, Valedictorian, Hillcrest High School. by \*Camper.

**House Joint Resolution No. 394** -- Memorials, Academic Achievement - Ramon Gutierrez, Salutatorian, Hillcrest High School. by \*Camper.

**House Joint Resolution No. 395** -- Memorials, Academic Achievement - Claudia Andrade Sanchez, Valedictorian, Wooddale High School. by \*Camper.

**House Joint Resolution No. 396** -- Memorials, Academic Achievement - Crystal Garrett, Salutatorian, Wooddale High School. by \*Camper.

**House Joint Resolution No. 397** -- Memorials, Academic Achievement - Zachary Bible, Valedictorian, McClain Christian Academy. by \*Pody.

**House Joint Resolution No. 398** -- Memorials, Academic Achievement - Esthela Rios, Salutatorian, Oakhaven High School. by \*Towns.

**House Joint Resolution No. 399** -- Memorials, Academic Achievement - Lisa Adams, Valedictorian, Oakhaven High School. by \*Towns.

**House Joint Resolution No. 400** -- Memorials, Academic Achievement - Kyle J. Cooper, Salutatorian, Heritage Christian Academy. by \*Lynn.

**House Joint Resolution No. 401** -- Memorials, Interns - Ellen LoCurto-Martinez. by \*Armstrong, \*Fitzhugh, \*Smith.

**House Joint Resolution No. 402** -- Memorials, Death - Paul Anderson. by \*Hill T.

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**House Joint Resolution No. 403** -- Memorials, Death - Mary Louise Sword Richards Gregory Jarvis. by \*Hill T.

**House Joint Resolution No. 404** -- Memorials, Recognition - Joshua Jamahl Murray. by \*Akbari, \*Camper, \*Coley, \*Cooper, \*DeBerry, \*Hardaway, \*Lollar, \*McManus, \*Miller, \*Parkinson, \*Todd, \*Towns, \*Turner, \*White M.

**House Joint Resolution No. 405** -- Memorials, Retirement - Janie Elizabeth Pedigo. by \*Weaver.

**House Joint Resolution No. 406** -- Memorials, Recognition - Doris Maxine Anderson Felts. by \*Kane.

**Senate Joint Resolution No. 282** -- Memorials, Recognition - Savannah Joy Kawa, 2015 Youth Leadership Award. by \*Overbey.

**Senate Joint Resolution No. 283** -- Memorials, Interns - Charles Chadwell. by \*Johnson.

**Senate Joint Resolution No. 284** -- Memorials, Personal Achievement - David O. Hancock, Eagle Scout. by \*Johnson.

**Senate Joint Resolution No. 285** -- Memorials, Recognition - Dr. Lee Ward, elevated to Auxiliary Bishop within the Church of God in Christ. by \*Tate.

**Senate Joint Resolution No. 286** -- Memorials, Personal Achievement - Mason Dabbs, Eagle Scout. by \*Hensley.

**Senate Joint Resolution No. 329** -- Memorials, Congratulations - Foothills Elementary School, National Blue Ribbon School. by \*Overbey.

**Senate Joint Resolution No. 335** -- Memorials, Interns - De'Antre Harleston. by \*Yarbro.

**Senate Joint Resolution No. 347** -- Memorials, Retirement - Michael Kyle. by \*Kyle.

Rep. Camper moved that all members voting aye on Senate Joint Resolution No. 285 be added as co-prime sponsors with Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

Rep. Hardaway moved that all members voting aye on House Resolution No. 76, House Resolution No. 77, House Resolution No. 78, House Resolution No. 79, House Resolution No. 80, House Resolution No. 81, House Resolution No. 82, House Resolution No. 83, House Resolution No. 84, House Joint Resolution No. 384 and House Joint Resolution No. 385 be added as co-prime sponsors with Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

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Rep. Akbari moved that all members voting aye on House Joint Resolution No. 404 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 505** -- Election Laws - As introduced, removes the experience requirement for candidates to qualify for election or appointment to the office of sheriff; allows a person to challenge a candidate's qualifications for the office of sheriff to the POST commission; creates a Class A misdemeanor offense for a person who intentionally files a fraudulent challenge of a sheriff candidate's qualifications. - Amends TCA Title 2, Chapter 5 and Title 8, Chapter 8, Part 1. by \*Matlock, \*Hardaway. (\*SB464 by \*Bell)

Further consideration of House Bill No. 505, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Matlock moved that House Bill No. 505 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND House Bill No. 505 by deleting Sections 1 and 2 of the bill and redesignating remaining sections accordingly.

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On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Matlock moved that **House Bill No. 505**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Akbari, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 91

Representatives present and not voting were: Armstrong, Lynn -- 2

A motion to reconsider was tabled.

**House Bill No. 490** -- Real Property - As introduced, decreases the registration fee for acquisition agents and their representatives, as defined in the Tennessee Time-Share Act of 1981, from \$25.00 to \$20.00. - Amends TCA Title 66. by \*Marsh. (\*SB505 by \*Johnson)

Further consideration of House Bill No. 490, previously considered on April 14, 2015 and April 15, 2015, at which it was reset for today's Calendar.

On motion, House Bill No. 490 was made to conform with **Senate Bill No. 505**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 505 be passed on third and final consideration.

Rep. Calfee moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 505** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller,

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Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 1039** -- Taxes, Sales - As introduced, revises the Border Region Retail Tourism Development District Act to permit municipalities to report the cost of an economic development project within 30 days of the end of each fiscal year; clarifies that municipalities may disclose the amount of a payment made to a private party even if the payment is derived from sales and use taxes collected from a single parcel of property. - Amends TCA Title 7, Chapter 40 and Title 67, Chapter 1, Part 17. by \*McCormick, \*Gravitt, \*Carter, \*Hazlewood. (SB998 by \*Gardenhire)

Further consideration of House Bill No. 1039, previously considered on April 14, 2015 and April 15, 2015, at which it was reset for today's Calendar.

On motion, House Bill No. 1039 was made to conform with **Senate Bill No. 998**; the Senate Bill was substituted for the House Bill.

Rep. Gravitt moved that Senate Bill No. 998 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gravitt moved that **Senate Bill No. 998** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93

Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**\*House Bill No. 10** -- Students - As introduced, requires students to pass the United States citizenship and immigration services' civics test with a score of at least 60 percent in order to receive a regular high school diploma. - Amends TCA Title 49, Chapter 1; Title 49,

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Chapter 2 and Title 49, Chapter 6. by \*McCormick, \*Parkinson, \*Kumar, \*Rogers, \*Brooks K, \*Weaver, \*Pody. (SB10 by \*Norris)

Further consideration of House Bill No. 10, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. McCormick moved that House Bill No. 10 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 10 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 4, is amended by adding the following language as a new section:

(a) Beginning January 1, 2017, except as provided in subsection (c), a student, during the student's high school career, shall be given a United States civics test composed of questions from the one hundred (100) questions that are set forth within the civics test administered by the United States citizenship and immigration services to persons seeking to become naturalized citizens.

(b) An LEA shall prepare a test for its students composed of at least twenty-five (25) questions and no more than fifty (50) questions from those questions described in subsection (a). The LEA may prepare multiple versions of the test for use in different schools and at different times.

(c) A public high school may provide each student with the opportunity to take the test as many times as necessary for the student to pass the test. A student who has an individualized education program (IEP) under which the civics test is determined to be an inappropriate requirement for the student shall not be required to take and pass the civics test.

(d) A student shall pass the test if the student correctly answers at least seventy percent (70%) of the questions.

(e) A school all of whose seniors receiving a regular diploma, except for those exempted from taking the test under subsection (c), make a passing grade on the United

States civics test required under subsection (a) shall be recognized on the department's web site as a United States civics all-star school for that school year.

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SECTION 2. This act shall take effect January 1, 2017, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Towns moved the previous question, which motion prevailed by the following vote:

Ayes .....	74
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Hulsey, Jones, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Turner -- 19

Representatives present and not voting were: Cooper -- 1

Rep. McCormick moved that **House Bill No. 10**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	8
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Armstrong, Clemmons, Gilmore, Hulsey, Jones, Pitts, Powell, Stewart -- 8

Representatives present and not voting were: Cooper -- 1

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A motion to reconsider was tabled.

**\*House Bill No. 827** -- Bail, Bail Bonds - As introduced, specifies that detainer includes any means of requesting a defendant be returned to a jurisdiction, including habeas corpus and extradition; requires that a bond forfeiture be collected within five years of the earlier of the date the defendant failed to appear or the date of the last activity in the case. - Amends TCA Title 40, Chapter 11. by \*Lamberth. (SB800 by \*Gardenhire)

Further consideration of House Bill No. 827, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Lamberth moved that **House Bill No. 827** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 95

Representatives voting no were: Windle -- 1

A motion to reconsider was tabled.

**\*House Bill No. 452** -- Alcoholic Beverages - As introduced, authorizes the alcohol beverage commission to issue temporary licenses for consumption of alcoholic beverages on the premises; revises instances where the commission must receive notification of a change of ownership in an establishment holding such license; increases, from five percent to 10 percent, the threshold ownership interest of a person convicted of certain offenses that prevents an establishment from receiving such license or a beer permit. - Amends TCA Title 57, Chapter 4 and Title 57, Chapter 5. by \*Lamberth. (SB769 by \*Dickerson)

Further consideration of House Bill No. 452, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 452 was made to conform with **Senate Bill No. 769**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 769 be passed on third and final consideration.

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Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 769** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	71
Noes.....	15
Present and not voting.....	5

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Haynes, Hazlewood, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 71

Representatives voting no were: Brooks H., DeBerry, Dunlap, Dunn, Harrison, Hill T., Holt, Keisling, Lollar, Matlock, Moody, Sexton J., Van Huss, White M., Windle -- 15

Representatives present and not voting were: Alexander, Pody, Powers, Smith, Sparks -  
- 5

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 769** and have this statement entered in the Journal: Rep. K. Brooks.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **Senate Bill No. 769** and have this statement entered in the Journal: Rep. M. Hill.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 646** -- Lottery, Scholarships and Programs - As introduced, creates the Community College reconnect grant for independent students seeking to complete an associate of applied science degree; clarifies the meaning of gift aid for purposes of the Wilder-Naifeh reconnect grant. - Amends TCA Title 49, Chapter 4, Part 9. by \*McCormick, \*Lamberth, \*White M, \*White D, \*Moody, \*Brooks K, \*Hardaway, \*Hazlewood. (\*SB605 by \*Norris, \*Green, \*Stevens, \*Gresham, \*Yager)

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Further consideration of House Bill No. 646, previously considered on April 14, 2015 and April 15, 2015, at which it was reset for today's Calendar.

On motion, House Bill No. 646 was made to conform with **Senate Bill No. 605**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 605 be passed on third and final consideration.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 605** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 594** -- Cosmetology - As introduced, requires any cosmetologist seeking a license to instruct in a cosmetology school to have at least one year of salon experience. - Amends TCA Title 62, Chapter 4. by \*Parkinson, \*Akbari, \*Fitzhugh. (SB669 by \*Bell)

Further consideration of House Bill No. 594, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Parkinson requested that House Bill No. 594 be moved to the heel of the Calendar, which motion prevailed.

**House Bill No. 843** -- Criminal Offenses - As introduced, enacts the "Neighborhood Protection Act." - Amends TCA Title 39 and Title 40. by \*Parkinson, \*Powell, \*Miller, \*Armstrong, \*Cooper, \*Hardaway, \*Love. (\*SB638 by \*Johnson, \*Harris)

Further consideration of House Bill No. 843, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

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On motion, House Bill No. 843 was made to conform with **Senate Bill No. 638**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 638 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hardaway moved the previous question, which motion failed by the following vote:

Ayes .....	46
Noes.....	39
Present and not voting.....	1

Representatives voting aye were: Brooks H., Byrd, Calfee, Coley, DeBerry, Doss, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Halford, Hardaway, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Marsh, Matheny, Matlock, McManus, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Sargent, Shaw, Stewart, Swann, Travis, Weaver, Williams, Windle, Wirgau, Madam Speaker Harwell -- 46

Representatives voting no were: Alexander, Armstrong, Beck, Brooks K., Carter, Casada, Clemmons, Daniel, Dunlap, Favors, Gravitt, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holt, Littleton, Lundberg, Lynn, McCormick, McDaniel, Moody, Pitts, Pody, Powers, Rogers, Sanderson, Shepard, Smith, Sparks, Spivey, Terry, Todd, Turner, Van Huss, White D., White M., Wilburn -- 39

Representatives present and not voting were: Cooper -- 1

After further discussion, Rep. Powell moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 638** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	75
Noes.....	16

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Holsclaw, Howell, Jernigan, Johnson, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Madam Speaker Harwell -- 75

Representatives voting no were: Akbari, Calfee, Camper, Carter, Coley, Durham, Goins, Hill M., Hill T., Holt, Hulsey, Littleton, Moody, Reedy, Sexton J., Williams -- 16

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A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from “aye” to “no” on **Senate Bill No. 638** and have this statement entered in the Journal: Rep. Lollar.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 304** -- Local Government, General - As introduced, adds to the duties of a county or city attorney that the attorney consult with and advise elected officials, their deputies, and their employees as to the proper application and enforcement of federal and state laws that are pertinent to carrying out the duties of such officials' respective offices. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 12. by \*Wirgau. (SB845 by \*Gresham)

Further consideration of House Bill No. 304, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 304 was made to conform with **Senate Bill No. 845**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 845 be passed on third and final consideration.

Rep. Sparks moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Wirgau moved that **Senate Bill No. 845** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

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**House Bill No. 761** -- Wine & Wineries - As introduced, eliminates the restrictions on items a winery may sell at retail; permits a winery to sell any item at retail as state law permits. - Amends TCA Section 57-3-207. by \*Wirgau. (\*SB643 by \*Ketron, \*Bowling)

Further consideration of House Bill No. 761, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 761 was made to conform with **Senate Bill No. 643**; the Senate Bill was substituted for the House Bill.

Rep. Wirgau moved that Senate Bill No. 643 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Wirgau moved that **Senate Bill No. 643** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	77
Noes.....	12
Present and not voting.....	6

Representatives voting aye were: Akbari, Armstrong, Beck, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 77

Representatives voting no were: Brooks H., Brooks K., Byrd, DeBerry, Dunlap, Dunn, Holt, Lollar, Matlock, Moody, Sexton J., Windle -- 12

Representatives present and not voting were: Alexander, Doss, Pody, Powers, Smith, Sparks -- 6

A motion to reconsider was tabled.

**\*House Bill No. 1272** -- Children and Youth, Commission on - As introduced, removes obsolete language relative to the initial appointments made to the commission on children and youth. - Amends TCA Title 37, Chapter 3, Part 1. by \*Love, \*White M. (SB1391 by \*Overbey)

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Further consideration of House Bill No. 1272, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1272 was made to conform with **Senate Bill No. 1391**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that Senate Bill No. 1391 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Love moved that **Senate Bill No. 1391** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 735** -- Education - As introduced, allows a school that has been classified as a priority school to have one year to address and improve the factors that led to the school being in the bottom five percent before the commissioner imposes various interventions upon the school. - Amends TCA Section 49-1-602. by \*Love, \*Pitts, \*Beck, \*Shepard, \*Cooper, \*Towns, \*Akbari, \*Favors, \*Hardaway, \*Gilmore, \*Clemmons. (\*SB588 by \*Tate, \*Bowling, \*Gardenhire, \*Harper)

Further consideration of House Bill No. 735, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 735 was made to conform with **Senate Bill No. 588**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that Senate Bill No. 588 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Love moved that **Senate Bill No. 588** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 1077** -- Public Records - As introduced, exempts records held by a voluntary association that establishes bylaws or rules for interscholastic sports competition for secondary schools in this state from the public records law, which records the association is not otherwise required by law to provide. - Amends TCA Title 10, Chapter 7, Part 5. by \*Casada. (SB1225 by \*Bell)

Further consideration of House Bill No. 1077, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1077 was made to conform with **Senate Bill No. 1225**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 1225 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 1225** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0  
Present and not voting ..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry,

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Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

Representatives present and not voting were: Daniel -- 1

A motion to reconsider was tabled.

**House Bill No. 393** -- Sunset Laws - As introduced, extends the emergency communications board, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 7, Chapter 86, Part 3. by \*Faison, \*Ragan. (\*SB211 by \*Bell)

Further consideration of House Bill No. 393, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 393 was made to conform with **Senate Bill No. 211**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 211 be passed on third and final consideration.

Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 211** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93



A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 211** and have this statement entered in the Journal: Rep. Travis.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 645** -- Education - As introduced, enacts "The Educator Protection Act of 2015." - Amends TCA Title 9, Chapter 8. by \*McCormick, \*Brooks K, \*Hazlewood. (\*SB604 by \*Norris, \*Crowe, \*Haile)

Further consideration of House Bill No. 645, previously considered on April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. McCormick moved that House Bill No. 645 be reset for the next available space on the next available calendar, which motion prevailed.

**House Bill No. 234** -- Recreational Areas - As introduced, specifies that climbing walls are not considered "amusement devices" and are not subject to regulation by the department of labor and workforce development. - Amends TCA Title 56 and Title 68. by \*McCormick, \*Terry. (\*SB24 by \*Johnson, \*Yarbro)

Further consideration of House Bill No. 234, previously considered on April 14, 2015 and April 15, 2015, at which it was reset for today's Calendar.

On motion, House Bill No. 234 was made to conform with **Senate Bill No. 24**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 24 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that **Senate Bill No. 24** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill

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T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 132** -- Motor Vehicles - As introduced, defines "curbstoning" as the practice of selling, or offering to sell, a motor vehicle that is not titled in the seller's name by a person lacking a license to sell motor vehicles in this state and permits state entities to seize vehicles offered for sale as part of a curbstoning scheme. - Amends TCA Title 40, Chapter 33, Part 2; Title 55, Chapter 16; Title 55, Chapter 17, Part 1 and Title 55, Chapter 3. by \*Johnson. (\*SB126 by \*Tracy)

Further consideration of House Bill No. 132, previously considered on April 9, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 132 was made to conform with **Senate Bill No. 126**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 126 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Johnson moved that **Senate Bill No. 126** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 92

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Representatives voting no were: Windle -- 1

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 126** and have this statement entered in the Journal: Rep. Pitts.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1186** -- Sunset Laws - As introduced, extends the department of labor and workforce development, June 30, 2019, and requires the department to report back to the committee concerning the findings in its 2014 single audit report. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3. by \*Faison. (SB1243 by \*Bell)

Further consideration of House Bill No. 1186, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 1186 was made to conform with **Senate Bill No. 1243**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1243 be passed on third and final consideration.

Rep. Faison moved adoption of House Amendment No. 1 as follows:

#### Amendment No. 1

AMEND Senate Bill No. 1243 by deleting Section 3 of the bill and redesignating the effective date section accordingly.

On motion, House Amendment No. 1 was adopted.

Rep. Faison moved that **Senate Bill No. 1243**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel,

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McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 93

Representatives voting no were: Goins, Windle -- 2

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 1243** and have this statement entered in the Journal: Rep. Goins.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1224** -- Traffic Safety - As introduced, exempts vehicles in a parade or community event from receiving a traffic citation based on evidence obtained from unmanned traffic enforcement cameras. - Amends TCA Section 55-8-198. by \*Towns, \*Hardaway. (\*SB1120 by \*Yarbro)

Further consideration of House Bill No. 1224, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Towns moved that House Bill No. 1224 be passed on third and final consideration.

Rep. Goins moved the previous question, which motion prevailed.

Rep. Towns moved that **House Bill No. 1224** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard,

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Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Madam Speaker Harwell -- 90

Representatives voting no were: Lundberg, Sexton C. -- 2

A motion to reconsider was tabled.

**\*House Joint Resolution No. 288** -- Memorials, Professional Achievement - Timothy L. Amos, 30 years with the Tennessee Bankers Association. by \*Fitzhugh.

Further consideration of House Joint Resolution No. 288, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

**BILL HELD ON DESK**

Rep. Fitzhugh moved that House Joint Resolution No. 288 be held on the Clerk's desk, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 216** -- Administrative Procedure (UAPA) - As introduced, requires, instead of authorizes, the government operations committees to review every rule promulgated pursuant to the UAPA; decreases, from 25 to 10, the number of persons that must petition an agency to compel a public hearing on a proposed rule; requires the committees to consider the effect of a rule on small business and the arbitrariness and capriciousness of a rule. - Amends TCA Title 4, Chapter 5, Part 2. by \*Daniel, \*Ragan, \*Kane, \*Howell, \*Rogers, \*Carter. (SB467 by \*Bell)

Further consideration of House Bill No. 216, previously considered on April 8, 2015, April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Daniel moved that House Bill No. 216 be passed on third and final consideration.

Rep. Faison moved adoption of Government Operations Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 216 by deleting Section 2 of the introduced bill.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Faison moved adoption of Government Operations Committee Amendment No. 2 as follows:

**Amendment No. 2**

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AMEND House Bill No. 216 by deleting in SECTION 6 the language "Effect of the rule on small business;" and substituting instead the language "Effect of the rule on business;"

On motion, Government Operations Committee Amendment No. 2 was adopted.

Rep. Faison moved adoption of Government Operations Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 216 By deleting the words "willful and" and substituting the words "willful or" in the definition of "arbitrariness and capriciousness" in Section 7 of the bill.

On motion, Government Operations Committee Amendment No. 3 was adopted.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Daniel moved that House Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Daniel moved that **House Bill No. 216**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 6

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 82

Representatives voting no were: Clemmons, Cooper, Parkinson, Powell, Stewart, Turner -- 6

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 216** and have this statement entered in the Journal: Rep. M. Hill.

**REGULAR CALENDAR, CONTINUED**

**MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 57** -- Human Rights - As introduced, enacts the "Racial Profiling Prevention Act," which requires each state and local law enforcement agency, including a university police department, to adopt, on or before January 1, 2016, a written policy that prohibits racial profiling. - Amends TCA Title 4; Title 38, Chapter 1 and Section 49-7-118. by \*DeBerry, \*Hardaway, \*Lamberth, \*McCormick, \*Terry, \*Sparks, \*Love, \*Towns, \*Akbari, \*Camper, \*Fitzhugh. (\*SB6 by \*Kelsey)

Further consideration of House Bill No. 57, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 57 was made to conform with **Senate Bill No. 6**; the Senate Bill was substituted for the House Bill.

Rep. DeBerry moved that Senate Bill No. 6 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Miller moved the previous question, which motion prevailed.

Rep. DeBerry moved that **Senate Bill No. 6** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau -- 93

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 6** and have this statement entered in the Journal: Rep. M. Hill.

**REGULAR CALENDAR, CONTINUED**

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## MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

**House Bill No. 567** -- Students - As introduced, prohibits an LEA from requiring more than the minimum graduation requirements for students enrolling or transferring in the 10th grade or later who are in the custody of the department of children's services to receive a full diploma. - Amends TCA Title 49, Chapter 6, Part 60. by \*DeBerry. (\*SB537 by \*Gresham)

Further consideration of House Bill No. 567, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 567 was made to conform with **Senate Bill No. 537**; the Senate Bill was substituted for the House Bill.

Rep. DeBerry moved that Senate Bill No. 537 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. DeBerry moved that **Senate Bill No. 537** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Gilmore voted "aye" on **Senate Bill No. 537**.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 1286** -- Criminal Offenses - As introduced, makes various changes to the crime of obstructing a highway or other passageway, including prohibiting the obstruction of a driveway to which the public has access. - Amends TCA Title 39. by \*Durham. (\*SB798 by \*Kelsey)



**MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Further consideration of House Bill No. 1286, previously considered on April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

Rep. Durham moved that House Bill No. 1286 be passed on third and final consideration.

Rep. Stewart moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Durham moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1286 by deleting SECTION 3 and SECTION 5 in their entirety and renumbering remaining sections accordingly.

**AND FURTHER AMEND** by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 39-17-307(a)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

(2) Disobeys a reasonable request or order to move issued by a person known to be a law enforcement officer, a firefighter, an owner, or a person with authority to control the use of the premises to:

(A) Prevent obstruction of a highway or passageway;

(B) Maintain public safety; or

(C) Protect the private property rights of the owner.

On motion, House Amendment No. 2 was adopted.

Rep. Coley moved the previous question, which motion prevailed by the following vote:

Ayes ..... 70

Noes ..... 26

Representatives voting aye were: Alexander, Brooks H., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 70

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Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner, Van Huss, Windle -- 26

Rep. Durham moved that **House Bill No. 1286**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes .....	20

Representatives voting aye were: Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 74

Representatives voting no were: Akbari, Armstrong, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Towns, Turner -- 20

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1286** and have this statement entered in the Journal: Rep. M. Hill.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **House Bill No. 1286** and have this statement entered in the Journal: Rep. Hardaway.

**REGULAR CALENDAR, CONTINUED**

## MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

**House Bill No. 701** -- Campaigns and Campaign Finance - As introduced, allows candidate and political campaign committee to accept digital currency as a contribution; requires increase in value of digital currency to be reported as interest on statements filed with the registry of election finance; requires candidate to sell digital currency and deposit proceeds before spending the funds. - Amends TCA Title 2, Chapter 10. by \*Faison. (\*SB674 by \*Dickerson)

Further consideration of House Bill No. 701, previously considered on April 9, 2015, April 13, 2015, April 14, 2015 and April 15, 2015, at which time it was reset for today's Calendar.

On motion, House Bill No. 701 was made to conform with **Senate Bill No. 674**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that **Senate Bill No. 674** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	61
Noes.....	28
Present and not voting.....	2

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Halford, Harrison, Hazlewood, Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Kane, Kumar, Lamberth, Lollar, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sargent, Sexton C., Shaw, Shepard, Smith, Stewart, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Madam Speaker Harwell -- 61

Representatives voting no were: Armstrong, Byrd, Clemmons, Cooper, Doss, Dunlap, Durham, Favors, Goins, Hardaway, Hawk, Haynes, Jones, Keisling, Littleton, Lundberg, Lynn, Matlock, Mitchell, Pitts, Reedy, Sanderson, Sexton J., Spivey, Swann, Towns, Williams, Windle -- 28

Representatives present and not voting were: Akbari, Camper -- 2

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 674** and have this statement entered in the Journal: Rep. M. Hill.

### REGULAR CALENDAR, CONTINUED

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**\*House Bill No. 623** -- Bail, Bail Bonds - As introduced, deletes provision permitting a court to revoke a defendant's bond and order the defendant held without bail pending trial if the defendant violates a condition of release, is charged with an offense committed during the defendant's release, or engages in conduct which obstructs the progress of the trial. - Amends TCA Title 40, Chapter 11. by \*Farmer. (SB642 by \*Gardenhire)

**BILL HELD ON DESK**

Rep. Farmer moved that House Bill No. 623 be held on the Clerk's desk, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 853** -- Bail, Bail Bonds - As introduced, permits a professional bondsman to take certain actions without legal counsel; directs that documents relating to the assignment of collateral be delivered to the presiding judge of the judicial district; creates a procedure for a surety to deliver to the court an investment certificate to establish or increase the surety's capacity. - Amends TCA Section 40-11-302. by \*Farmer, \*Hardaway. (SB1234 by \*Bell)

On motion, House Bill No. 853 was made to conform with **Senate Bill No. 1234**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that **Senate Bill No. 1234** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Senate Bill No. 1234** and have this statement entered in the Journal: Rep. M. Hill.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1323** -- Hotels and Restaurants - As introduced, requires a lodging establishment to post a copy of its rules and applicable state law concerning the establishment's right to refuse use, guest registration, and patron ejection from the premises on the lodging establishment's web site, if applicable. - Amends TCA Title 11; Title 12; Title 47; Title 48; Title 57; Title 66; Title 67 and Title 68. by \*Farmer, \*Armstrong, \*Kane. (\*SB1263 by \*Niceley)

Rep. Farmer moved that House Bill No. 1323 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1323 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-120-101, is amended by adding the following language as a new subsection:

(i)

(1) Notwithstanding this section, mandatory sprinkler requirements adopted by a local government pursuant to subdivision (a)(8) shall be applied to a hospitality dwelling only if:

(A) The hospitality dwelling is constructed on or after the date the mandatory sprinkler requirements take effect; and

(B) The local government's waterworks system is capable of providing the required amount of water for the mandatory sprinkler systems to function according to manufacturer specifications.

(2) For purposes of this subsection (i):

(A) "Hospitality dwelling" means a one-family or two-family dwelling used as an establishment to provide hospitality services; and

(B) "Hospitality services" means offering sleeping accommodations to transients for less than thirty (30) nights per stay.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

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Rep. Farmer moved that **House Bill No. 1323**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 92

Representatives voting no were: Towns -- 1

Representatives present and not voting were: Windle -- 1

A motion to reconsider was tabled.

**House Bill No. 826** -- Alcoholic Beverages - As introduced, authorizes establishments holding a license for consumption of alcoholic beverages on the premises to pay wholesalers of alcoholic beverages within a time period negotiated between the parties, instead of at or near the time of delivery; authorizes the establishments to pay with cash, check, electronic funds transfer, credit card, debit card, or other methods as approved by the alcoholic beverage commission. - Amends TCA Section 57-4-203. by \*Jernigan, \*Farmer, \*Carr , \*Lundberg, \*Powell, \*McDaniel, \*Lamberth, \*Lynn. (\*SB710 by \*Green, \*Overbey, \*Harris)

On motion, House Bill No. 826 was made to conform with **Senate Bill No. 710**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that Senate Bill No. 710 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved previous question, which motion prevailed.

## MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Farmer moved that **Senate Bill No. 710** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	76
Noes .....	13
Present and not voting .....	5

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Doss, Durham, Eldridge, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 76

Representatives voting no were: Brooks K., Daniel, Dunlap, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Matlock, Sparks, Van Huss, Windle -- 13

Representatives present and not voting were: Butt, Byrd, DeBerry, Pody, Powers -- 5

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 710** and have this statement entered in the Journal: Rep. Alexander.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 147** -- Animal Cruelty and Abuse - As introduced, enacts the "Tennessee Animal Abuser Registration Act." - Amends TCA Title 39; Title 40 and Title 44. by \*Jernigan, \*Durham, \*Lundberg, \*McManus, \*Hill T, \*VanHuss, \*Fitzhugh, \*Clemmons, \*Beck, \*Miller, \*Akbari, \*Stewart, \*Gilmore, \*Byrd, \*Parkinson, \*Turner, \*Cooper, \*Hardaway, \*Powell, \*Jones, \*Pitts, \*Dunlap, \*Ramsey, \*Kane, \*Calfee, \*Casada, \*Hulsey, \*Shaw, \*Todd, \*Terry, \*Shepard, \*Armstrong, \*Holsclaw, \*Love, \*Swann, \*Camper, \*Carr, \*Harrison, \*Hill M, \*Lollar, \*Holt. (SB1204 by \*Yarbro, \*Briggs, \*Dickerson, \*Kyle, \*Massey, \*Hensley, \*Harris, \*Tate, \*Yager)

On motion, House Bill No. 147 was made to conform with **Senate Bill No. 1204**; the Senate Bill was substituted for the House Bill.

Rep. Jernigan moved that Senate Bill No. 1204 be passed on third and final consideration.

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Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved previous question, which motion prevailed.

Rep. Jernigan moved that **Senate Bill No. 1204** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Fitzhugh voted "aye" on **Senate Bill No. 1204**.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 614** -- Recycling - As introduced, requires the department of general services to encourage state government departments to replace trash receptacles with recycle bins. - Amends TCA Title 12 and Title 68, Chapter 211. by \*Jernigan, \*Clemmons. (SB1064 by \*Harris)

On motion, House Bill No. 614 was made to conform with **Senate Bill No. 1064**; the Senate Bill was substituted for the House Bill.

Rep. Jernigan moved that Senate Bill No. 1064 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.



Rep. Jernigan moved that **Senate Bill No. 1064** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau -- 94

A motion to reconsider was tabled.

**\*House Bill No. 196** -- Elder Abuse - As introduced, requires that a fine be imposed on a person convicted of abuse, neglect, or exploitation of an adult if the victim was over 60 years of age; requires that the fines be appropriated by the general assembly to fund services and programs for senior citizens. - Amends TCA Title 39, Chapter 13; Title 71, Chapter 2 and Title 71, Chapter 6, Part 1. by \*Gilmore. (SB881 by \*Yarbro)

On motion, House Bill No. 196 was made to conform with **Senate Bill No. 881**; the Senate Bill was substituted for the House Bill.

Rep. Gilmore moved that Senate Bill No. 881 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gilmore moved that **Senate Bill No. 881** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey,

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Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*House Joint Resolution No. 203** -- General Assembly, Statement of Intent or Position  
- To support passage of the STEM Education Act (H.R. 1020). by \*Gilmore, \*Brooks H, \*DeBerry, \*Hawk, \*White M.

Rep. Gilmore moved adoption of **House Joint Resolution No. 203**, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Madam Speaker Harwell -- 92

Representatives voting no were: Daniel -- 1

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. D. White voted "aye" on **House Joint Resolution No. 203**.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1035** -- Education, Curriculum - As introduced, requires the department of education to report on the availability and content of driver education and training courses in public schools to the education committee of the senate and the education instruction and programs committee of the house prior to March 1, 2016. - Amends TCA Title 49. by \*Spivey, \*Forgety, \*Harwell, \*Lollar, \*Coley, \*Todd, \*McManus, \*Sanderson, \*Hulsey, \*Matheny, \*Shepard, \*Wirgau, \*McDaniel, \*Calfee, \*Kane, \*Womick, \*Powers, \*Hawk, \*Matlock, \*Sexton J, \*Casada, \*Moody, \*White M, \*Marsh, \*Ramsey, \*White D, \*Swann, \*Johnson, \*Dunn, \*Sargent, \*Byrd, \*Holt, \*Littleton, \*Hazlewood. (SB1163 by \*Bell, \*Massey, \*Bowling)

Rep. Spivey moved that House Bill No. 1035 be passed on third and final consideration.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1035 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 3, is amended by adding the following language as a new section:

(a)

(1) The state board of education shall implement a process whereby the set of standards known as the Common Core State Standards adopted in 2010 will be reviewed and shall be replaced with new sets of standards adopted to fit the needs of Tennessee students. These college-and-career-ready standards shall be adopted through an open, transparent process that allows all Tennesseans an opportunity to participate. These standards shall be adopted and fully implemented in Tennessee public schools in the 2017-2018 school year.

(2) The state board of education or the department of education shall cancel any memorandum of understanding concerning the Common Core State Standards entered into with the National Governor's Association and the Council of Chief State School Officers.

(b) As required by the current established process:

(1) The state board shall appoint two (2) standards review and development committees. One (1) committee shall be an English language arts standards review and development committee, and one (1) committee shall be a mathematics standards review and development committee. Each committee shall be composed of two (2) representatives from institutions of higher education located in the state and six (6) educators who reside in the state and work in grades kindergarten through twelve (K-12);

(2) The state board shall also appoint six (6) advisory teams. Three (3) advisory teams shall advise and assist the English language arts standards review and development committee, and three (3) advisory teams shall advise and assist the mathematics standards review and development committee. The advisory teams shall be structured by grade levels, so that one (1) advisory team reviews standards for kindergarten through grade five (K-5), one (1) for grades six through eight (6-8), and one (1) for grades nine through twelve (9-12) in each subject.

Each advisory team shall be composed of one (1) representative from an institution of higher education located in the state and six (6) educators who reside in the state and work in the appropriate grade levels and subject;

(3) The public's assistance in reviewing the current standards and suggesting changes to the current standards shall be elicited through a web site that shall allow comment by the public, as well as by educators, on the current standards. A third-party, independent educational resource, selected by the state board, shall collect all of the data and transmit all of the information gathered to the state board for dissemination to the appropriate advisory team for review and consideration;

(4) Each advisory team shall review the current standards for its subject matter and grade level together with the comments and suggestions gathered from the public and educators. After an advisory team has conducted its review, the team shall make recommendations for changes to the current standards to the appropriate standards review and development committee; and

(5) Each standards review and development committee shall review its advisory teams' reports and make recommendations for the new set of standards to the standards recommendation committee created in subsection (c).

(c) There is created a standards recommendation committee. The committee shall be composed of ten (10) members. The governor shall appoint four (4) members, the speaker of the senate shall appoint three (3) members, and the speaker of the house of representatives shall appoint three (3) members. The standards recommendation committee shall review and evaluate the recommendations of the two (2) standards review and development committees and post the recommendations to the web site created pursuant to subdivision (b)(3) for the purpose of gathering additional feedback from the public. The standards recommendation committee shall make the final recommendations as to the new set of standards to the state board, which shall adopt sets of standards in English language arts and mathematics that fit the needs of Tennessee students in kindergarten through grade twelve (K-12).

(d) Prior to the next adoption of academic standards in the subjects of science and social studies, the state board of education shall establish a process whereby the board shall receive recommendations from a standards recommendation committee appointed in the same manner as the standards recommendation committee created in subsection (c). The standards recommendation committee shall make the final recommendations as to the revision and replacement of the current sets of standards in these subject areas to the state board, which shall adopt sets of standards in science and social studies that fit the needs of Tennessee students in kindergarten through grade twelve (K-12);

(e) Each LEA shall be responsible for developing and implementing the instructional programs under the state standards adopted by the state board that best fit its students' educational needs, that achieve levels of proficiency or advanced mastery, and that vigorously promote individual teacher creativity and autonomy.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1035 by deleting the language "college-and-career-ready" in subdivision (a)(1) of SECTION 1 of the bill as amended and substituting instead the language "postsecondary-and-workforce-ready".

On motion, Education Instruction & Programs Committee Amendment No. 2 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, as follows:

**Amendment No. 3**

AMEND House Bill No. 1035 by adding the following language immediately after the caption of the bill as amended:

WHEREAS, the state board of education shall implement a process whereby the set of standards known as Common Core State Standards adopted in 2010 will be reviewed and shall be replaced with a new set of Tennessee standards adopted to meet or exceed the postsecondary and workforce needs of Tennessee students; and

WHEREAS, these standards shall be adopted through an open, transparent process that allows all Tennesseans an opportunity to participate; and

WHEREAS, these new Tennessee academic standards shall be adopted and fully implemented in Tennessee public schools in the 2017–2018 school year, at which time the previously adopted set of standards shall be rescinded; now, therefore,

**AND FURTHER AMEND** by adding the following language as a new subsection in the amendatory language of SECTION 1 of the bill as amended:

(f) All appointments made pursuant to subsection (c) for the standards recommendation committee shall be subject to confirmation by the senate and the house

of representatives, but appointments shall be effective until adversely acted upon by the senate and the house of representatives.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 3, was adopted.

Rep. M. Hill moved that House Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Spivey moved that **House Bill No. 1035**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**House Bill No. 75** -- Intellectual & Developmental Disabilities - As introduced, extends the tax on intermediate care facilities; changes references from "intermediate care facility for the mentally retarded (ICF/MR)" to "intermediate care facility for individuals with intellectual disabilities (ICF/IID)". - Amends TCA Section 68-11-830. by \*McCormick, \*Brooks K. (\*SB85 by \*Norris, \*Watson, \*Ketron)

On motion, House Bill No. 75 was made to conform with **Senate Bill No. 85**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that **Senate Bill No. 85** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 3  
Present and not voting..... 2

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson,

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Representatives voting no were: Dunlap, Lynn, Windle -- 3

Representatives present and not voting were: Alexander, Calfee -- 2

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Todd voted "aye" on **Senate Bill No. 85**.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 515** -- Hospitals and Health Care Facilities - As introduced, requires TennCare bureau to provide notice to health committee chairs prior to making pro rata payment reductions from nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by \*Harrison. (SB574 by \*Overbey)

On motion, House Bill No. 515 was made to conform with **Senate Bill No. 574**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 574 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that **Senate Bill No. 574** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes.....	3
Present and not voting.....	4

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormcik, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 88

Representatives voting no were: Dunlap, Lynn, Windle -- 3

Representatives present and not voting were: Alexander, Faison, Powers, Sparks -- 4

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. McCormick voted "aye" on **Senate Bill No. 574**.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 594** -- Cosmetology - As introduced, requires any cosmetologist seeking a license to instruct in a cosmetology school to have at least one year of salon experience. - Amends TCA Title 62, Chapter 4. by \*Parkinson, \*Akbari, \*Fitzhugh, \*Love, \*Hardaway. (SB669 by \*Bell)

Further consideration of House Bill No. 594, previously considered on today's calendar.

Rep. Parkinson moved that House Bill No. 854 be reset for the next available space on the next available calendar, which motion prevailed

### REGULAR CALENDAR NO. 2

**\*House Bill No. 517** -- Hospitals and Health Care Facilities - As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home and skilled nursing facility beds until June 30, 2016. - Amends TCA Section 68-11-1609 and Section 68-11-1622. by \*Harrison. (SB573 by \*Overbey, \*Yager)

On motion, House Bill No. 517 was made to conform with **Senate Bill No. 573**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that **Senate Bill No. 573** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 7

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 88



Representatives voting no were: Daniel, Dunlap, Durham, Hardaway, Lynn, Rogers, Windle -- 7

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 573** and have this statement entered in the Journal: Rep. Butt.

### REGULAR CALENDAR NO. 2, CONTINUED

**\*House Bill No. 714** -- Health Care - As introduced, prohibits the use of a survey, inspection, or investigation of a healthcare provider that is conducted by a state or federal department or agency as evidence in a healthcare liability action, except to impeach a witness, or in an advertisement, unless certain criteria are met. - Amends TCA Title 29, Chapter 26, Part 1. by \*Wilburn, \*Carter, \*Durham. (SB889 by \*Kelsey, \*Gresham)

On motion, House Bill No. 714 was made to conform with **Senate Bill No. 889**; the Senate Bill was substituted for the House Bill.

Rep. Wilburn moved that Senate Bill No. 889 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Wilburn moved that **Senate Bill No. 889** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

Representatives voting no were: Daniel -- 1

A motion to reconsider was tabled.

**House Bill No. 440** -- Physicians and Surgeons - As introduced, establishes a process for reimbursing physicians for services rendered during the pendency of a credentialing application before a health insurance entity. - Amends TCA Title 56. by \*Terry, \*Byrd, \*Gravitt, \*White D, \*Kumar. (\*SB284 by \*Briggs, \*Green, \*Bowling, \*Watson)

On motion, House Bill No. 440 was made to conform with **Senate Bill No. 284**; the Senate Bill was substituted for the House Bill.

Rep. Terry moved that Senate Bill No. 284 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND Senate Bill No. 284 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-1001, is amended by adding the following new subsection:

(f)

(1) A health insurance entity shall provide to any medical group practice with which the entity has an existing contract a list of all information and supporting documentation required for a credentialing application of a new provider applicant to be considered complete pursuant to this subsection (f).

(2)

(A) A health insurance entity shall notify a new provider applicant in writing of the status of a credentialing application no later than five (5) business days of receipt of the application. The notice shall indicate if the application is complete or incomplete, and, if the application is incomplete, the notice shall indicate the information or documentation that is needed to complete the application.

(B) If the application is incomplete and the new provider applicant submits additional information or documentation to complete the application, the health insurance entity shall comply with the requirements of subdivision (f)(2)(A) upon receipt of the additional information or documentation.

(C) A health insurance entity shall notify a new provider applicant of the results of the new provider applicant's credentialing application within ninety (90) calendar days after notification from the health insurance entity that the application is complete.

(D) If a new provider applicant fails to submit a complete credentialing application to a health insurance entity within thirty (30) calendar days of notice of an incomplete application, then the application is deemed incomplete and credentialing is discontinued. If a new provider applicant fails to submit a complete network participation enrollment form, including signature evidencing intent to participate with the group and any other required documentation, to a health insurance entity within thirty (30) calendar days of notice of an incomplete application, then the new provider applicant is ineligible to receive the payment set out in (f)(3)(A).

(3)

(A) A new provider applicant shall not submit any claims for covered services provided by the new provider applicant to the health insurance entity for reimbursement while the credentialing application is pending. If claims are submitted while the credentialing application is pending, the health insurance entity may deny the claims. Upon notification pursuant to subdivision (f)(2)(C), the new provider applicant shall submit all held claims to the health insurance entity, and the health insurance entity shall pay reimbursement at the contracted in-network rate for any covered medical services provided by the new provider applicant during the time between receipt of a complete credentialing application pursuant to subdivision (f)(2)(A) and notification pursuant to subdivision (f)(2)(C). In the event that a new provider applicant or medical group practice has specified a network start date for the new provider applicant that is later than the time of receipt of a complete credentialing application pursuant to subdivision (f)(2)(A), the health insurance entity shall pay reimbursement at the contracted in-network rate for any covered medical services provided by the new provider applicant during the time between the specified network start date and notification pursuant to subdivision (f)(2)(C).

(B) A health insurance entity's reimbursement obligation under subdivision (f)(3)(A) applies only to medical services provided in the name of the medical group practice by a new provider applicant that is billing for professional services under the existing group contract.

(4)

(A) Nothing in this section requires a health insurance entity to pay reimbursement at the contracted in-network rate for any covered medical services provided by the new provider applicant if the new provider applicant's credentialing application is not approved or the health insurance entity is otherwise not willing to contract with the new provider applicant.

(B) A medical group practice may be required to refund any reimbursement monies paid by the health insurance entity for services provided by a new provider applicant whose credentialing approval was obtained by fraud.

(C) A medical group practice shall not collect from a health insurance beneficiary any amount for services provided if the new provider applicant's credentialing application is not approved or any amount refunded to a health insurance entity under subdivision (f)(4)(B).

(5) As used in this subsection (f):

(A) "Existing group contract" means a participating provider agreement between a medical group practice and a health insurance entity, under which physicians and other providers of the medical group bill for services provided to patients covered by health insurance provided by the health insurance entity, and under which a new provider applicant who is a member of the medical group practice will become a participating provider upon successful completion of the credentialing process;

(B) "Health insurance entity" has the same meaning provided in § 56-7-109(a); and

(C) "New provider applicant" means a physician or other licensed provider of medical services who has submitted a completed credentialing application to a health insurance entity.

(6) Nothing in this subsection (f) shall apply to the TennCare program or any successor Medicaid program provided for in title 71, chapter 5; the CoverKids Act of 2006, compiled in title 71, chapter 3, part 11; the Access Tennessee Act of 2006, compiled in title 56, chapter 7, part 29; any other plan managed by the health care finance and administration division of the department of finance and administration or any successor division or department; or the group insurance plans offered under title 8, chapter 27.

SECTION 2. This act shall take effect January 1, 2016, the public welfare requiring it, and shall apply to new provider applicant credentialing applications submitted to a health insurance entity on or after that date.

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On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Terry moved that **Senate Bill No. 284**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

Representatives present and not voting were: Powers -- 1

A motion to reconsider was tabled.

**\*House Bill No. 306** -- Bail, Bail Bonds - As introduced, authorizes professional bondsmen to charge up to 15 percent rather than 10 percent of the face value of a criminal appearance bond if the defendant is not a resident of the state. - Amends TCA Title 40, Chapter 11, Part 3. by \*McDaniel. (SB531 by \*Gresham)

On motion, House Bill No. 306 was made to conform with **Senate Bill No. 531**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that **Senate Bill No. 531** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*House Bill No. 309** -- Tobacco, Tobacco Products - As introduced, restricts persons under the age of 18 from having access to vapor products; adds requirement that store owners or managers provide training to employees on the sale of vapor products; implements child-resistant safety standards for liquid nicotine containers used in conjunction with vapor products, in accordance with federal safety standards. - Amends TCA Title 4; Title 39; Title 47; Title 49; Title 62; Title 63 and Title 68. by \*McDaniel, \*Sexton C, \*Williams, \*Gravitt. (SB411 by \*Overbey, \*Massey)

On motion, House Bill No. 309 was made to conform with **Senate Bill No. 411**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 411 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McDaniel moved that **Senate Bill No. 411** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

Representatives voting no were: Van Huss -- 1

A motion to reconsider was tabled.

## RECESS MOTION

Rep. Casada moved that the House stand in recess for ten minutes, which motion prevailed.

## RECESS EXPIRED

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The recess having expired, the House was called to order by Madam Speaker Harwell.

**ROLL CALL DISPENSED**

On motion of Rep. McCormick the roll call was dispensed with.

**REGULAR CALENDAR NO. 2, CONTINUED**

**House Bill No. 763** -- Commerce and Insurance, Dept. of - As introduced, requires the department to submit an annual report to the government operations committees of both houses on motor vehicle racing that includes the number of licenses issued, injuries sustained by race participants, and the amount of fees collected. - Amends TCA Title 55 and Title 62. by \*Howell, \*Brooks K. (\*SB480 by \*Bell)

On motion, House Bill No. 763 was made to conform with **Senate Bill No. 480**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 480 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Howell moved that **Senate Bill No. 480** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Love, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 92

1363

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 480** and have this statement entered in the Journal: Rep. K. Brooks.

### REGULAR CALENDAR NO. 2, CONTINUED

**\*House Bill No. 823** -- Public Contracts - As introduced, increases, from \$25,000 to \$100,000, the threshold for public works projects that require a registered architect, registered engineer, or registered landscape architect. - Amends TCA Title 5; Title 6; Title 7; Title 12 and Section 62-2-107. by \*Lollar, \*Coley. (SB978 by \*Norris)

On motion, House Bill No. 823 was made to conform with **Senate Bill No. 978**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that Senate Bill No. 978 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved that **Senate Bill No. 978** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93



A motion to reconsider was tabled.

**House Bill No. 178** -- Workers Compensation - As introduced, includes as information open for public inspection the workers' compensation policy cancellation date and the policy reinstatement date. - Amends TCA Title 50, Chapter 6, Part 4. by \*Lynn. (\*SB174 by \*Ketron)

On motion, House Bill No. 178 was made to conform with **Senate Bill No. 174**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that **Senate Bill No. 174** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**House Bill No. 1174** -- Metropolitan Government - As introduced, permits a county with a metropolitan government that has purchased real property at a delinquent tax sale to authorize the conveyance of the real property by grant or donation to a nonprofit organization for the purpose of constructing affordable or workplace housing. - Amends TCA Title 7, Chapter 3, Part 3 and Title 67, Chapter 5, Part 25. by \*Clemmons, \*Jones, \*Gilmore. (\*SB1123 by \*Yarbro)

On motion, House Bill No. 1174 was made to conform with **Senate Bill No. 1123**; the Senate Bill was substituted for the House Bill.

Rep. Clemmons moved that Senate Bill No. 1123 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Clemmons moved that **Senate Bill No. 1123** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

**House Bill No. 951** -- Taxes, Hotel Motel - As introduced, on a prospective basis, requires a portion of the proceeds of a hotel-motel tax adopted by ordinance or resolution to be used for tourism purposes; requires a city or county to conduct an economic impact study prior to adopting an ordinance or resolution to enact a hotel-motel tax; makes other revisions regarding hotel-motel taxes. - Amends TCA Title 7, Chapter 4, Part 1 and Title 67, Chapter 4, Part 14. by \*White M, \*Keisling. (\*SB850 by \*Tate)

On motion, House Bill No. 951 was made to conform with **Senate Bill No. 850**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 850 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 850** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell,

Hulsey, Jernigan, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

**House Bill No. 854** -- Veterans - As introduced, enacts the "Criminal Justice Veterans Compensation Act of 2015" or the "CJVC Act." - Amends TCA Title 16; Title 39, Chapter 17 and Title 55, Chapter 10, Part 4. by \*White D, \*Jernigan, \*Windle, \*Rogers, \*Howell, \*Wilburn, \*Hazlewood, \*Littleton, \*VanHuss, \*Hill T, \*Keisling, \*Matlock, \*Farmer, \*Spivey, \*Powers, \*Carter, \*Powell, \*Pitts, \*Love, \*Shepard, \*White M, \*Durham, \*Byrd, \*Marsh, \*Reedy, \*Butt, \*Lamberth, \*Faison, \*Ramsey, \*Casada, \*Smith, \*Sargent, \*Sparks, \*Sanderson, \*Sexton C, \*Brooks K, \*Beck, \*Coley, \*Armstrong, \*Shaw, \*Mitchell, \*Stewart, \*Akbari, \*Miller, \*Hardaway, \*Towns, \*Turner, \*Forgety, \*Womick, \*Holt, \*Johnson, \*Kane, \*Moody, \*Terry, \*Haynes, \*Todd, \*Travis, \*Fitzhugh, \*Goins, \*Parkinson. (\*SB711 by \*Green, \*Briggs, \*Gardenhire, \*Gresham, \*Bailey, \*Bowling)

Rep. D. White moved that House Bill No. 854 be reset for the next available space on the next available calendar, which motion prevailed.

**House Bill No. 921** -- Education - As introduced, prohibits the placement of a school identified as a priority school in the achievement school district if the school makes certain improvements before being assigned to the achievement school district. - Amends TCA Title 49. by \*Akbari. (\*SB758 by \*Tate, \*Dickerson)

On motion, House Bill No. 921 was made to conform with **Senate Bill No. 758**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 758 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Miller moved the previous question, which motion prevailed.

Rep. Akbari moved that **Senate Bill No. 758** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel,

McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 695** -- Election Laws - As introduced, requires vacancy in general assembly seat to be filled by members of the party's county executive committee who reside within the district instead of those who represent precincts in the district, under certain circumstances. - Amends TCA Title 2, Chapter 13, Part 2 and Title 2, Chapter 14, Part 2. by \*Akbari, \*Camper. (\*SB137 by \*Tate)

Rep. Akbari moved that House Bill No. 695 be reset for the next available space on the next available calendar, which motion prevailed.

**House Bill No. 934** -- Explosives - As introduced, permits the use of exploding targets in lawful sporting activity; exempts the use of exploding materials for lawful sporting activity from the Tennessee Blasting Standards Act of 1975. - Amends TCA Title 39, Chapter 14, Part 7; Title 39, Chapter 17, Part 13; Title 68, Chapter 102, Part 1 and Title 68, Chapter 105. by \*Matheny. (\*SB874 by \*Niceley)

On motion, House Bill No. 934 was made to conform with **Senate Bill No. 874**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 874 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 874 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1302, is amended by adding the following as a new, appropriately designated subsection:

( ) Subsection (a) shall not apply to the possession, manufacture, transportation, repair, or sale of an explosive if:

(1) The person in question is eighteen (18) years of age or older;  
and

(2) The possession, manufacture, transport, repair, or sale was incident to creating or using an exploding target for lawful sporting activity, as solely intended by the commercial manufacturer.

SECTION 2. Tennessee Code Annotated, Section 39-14-702, is amended by adding the following as a new, appropriately designated subsection:

( ) This section shall not apply to a component part of an explosive solely intended to be used in creating an exploding target for use in lawful sporting activity, when the part is possessed by a person eighteen (18) years of age or older.

SECTION 3. Tennessee Code Annotated, Section 68-105-120, is amended by adding the following as a new, appropriately designated subdivision:

( ) The use of explosive materials solely intended by the commercial manufacturer to be used to create an exploding target for use in lawful sporting activity or the use of an exploding target for its intended purpose in lawful sporting activity; provided, that the person using the explosive materials is eighteen (18) years of age or older;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **Senate Bill No. 874**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	7
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Armstrong, Beck, Clemmons, Hardaway, Jones, Stewart, Turner -- 7

Representatives present and not voting were: Hazlewood, Powell -- 2

A motion to reconsider was tabled.

**House Bill No. 82** -- Banks and Financial Institutions - As introduced, removes the commissioner of financial institutions' authority to use a multi-state automated licensing system as an agent for channeling information pursuant to the Flexible Credit Act. - Amends TCA Title 45, Chapter 12. by \*McCormick, \*Brooks K, \*Matheny. (\*SB93 by \*Norris, \*Stevens, \*Ketron)

Rep. Matheny moved that House Bill No. 82 be reset for the last available space on the last calendar, which motion prevailed.

**House Bill No. 1276** -- Alcoholic Beverages - As introduced, permits the sale of alcoholic beverages and beer for consumption on the premises of a deluxe theater that exhibits motion pictures to the public for a charge, has a full-service restaurant with at least 900 seats at tables, and contains nine auditoriums with seating for not less than 50 persons in each auditorium. - Amends TCA Title 57, Chapter 4. by \*Durham. (\*SB913 by \*Johnson)

Rep. Durham moved that House Bill No. 1276 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1276 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(37), is amended by adding the following language as a new subdivision:

(C) "Theater" also means an establishment in which motion pictures are exhibited to the public regularly for a charge. The theater shall regularly serve prepared food to patrons and each auditorium in which alcoholic beverages may be consumed shall allow dining at each seat in the auditorium. Prior to making a sale of any alcoholic beverage, a valid, government-issued document, such as a driver license or other form of identification deemed acceptable to the license holder that includes a photograph and date of birth of the adult consumer attempting to make the purchase, shall be produced to the licensee. The theater shall also periodically visually monitor all auditoriums in which alcoholic beverages are permitted and each beverage containing an alcoholic beverage shall be distinct from any other container used to serve nonalcoholic beverages.

SECTION 2. Tennessee Code Annotated, Section 57-4-101(a)(16), is amended by deleting the following language:

. Such alcoholic beverages, wine and beer shall only be sold on such premises in the area accessible only to persons twenty-one (21) years of age or older

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SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Durham moved that **House Bill No. 1276**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 62  
Noes..... 23  
Present and not voting..... 8

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Carter, Casada, Clemmons, Coley, Daniel, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Spivey, Stewart, Terry, Travis, Turner, Weaver, White D., Wilburn, Williams, Madam Speaker Harwell -- 62

Representatives voting no were: Brooks H., Brooks K., Byrd, Calfee, DeBerry, Dunlap, Dunn, Harrison, Haynes, Hill M., Hill T., Holt, Keisling, Lollar, Lynn, Matlock, Moody, Swann, Todd, Towns, Van Huss, White M., Windle -- 23

Representatives present and not voting were: Alexander, Butt, Cooper, Doss, Pody, Powers, Smith, Sparks -- 8

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Terry voted "aye" on **House Bill No. 1276**.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **House Bill No. 1276** and have this statement entered in the Journal: Rep. J. Sexton.

**REGULAR CALENDAR NO. 2, CONTINUED**

**House Bill No. 1291** -- Criminal Offenses - As introduced, states that knowingly killing a police dog, fire dog, search and rescue dog, or police horse shall be a Class E felony, unless the offense would be a higher classification based on the animal's value, in which case, knowingly killing the animal shall be punished as theft of property. - Amends TCA Section 39-

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14-205. by \*Durham, \*Rogers, \*Lamberth, \*Littleton, \*Jernigan. (\*SB1114 by \*Johnson, \*Bell, \*Dickerson, \*Haile, \*Overbey, \*Roberts)

On motion, House Bill No. 1291 was made to conform with **Senate Bill No. 1114**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 1114 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Durham moved that **Senate Bill No. 1114** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

Representatives voting no were: Hardaway, Towns -- 2

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. J. Sexton voted "aye" on **Senate Bill No. 1114**.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 1114** and have this statement entered in the Journal: Rep. Hardaway.

**REGULAR CALENDAR NO. 2, CONTINUED**

1372

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



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**\*House Bill No. 1380** -- Lewis County - As introduced, subject to local approval, increases the hotel motel tax from the amount of five percent to the amount of seven percent; requires revenues generated from such increase to be used solely to promote tourism in the county. - Amends amend Chapter 15 of the Private Acts of 1995. by \*Byrd. (SB1403 by \*Hensley)

Rep. Byrd moved that **House Bill No. 1380** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	5
Present and not voting.....	4

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 85

Representatives voting no were: Daniel, Keisling, Lynn, Moody, Windle -- 5

Representatives present and not voting were: Kane, Powers, Sparks, Todd -- 4

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 1380** and have this statement entered in the Journal: Rep. Moody.

**REGULAR CALENDAR NO. 2, CONTINUED**

**\*House Bill No. 1079** -- Game and Fish Laws - As introduced, increases, from one to three, the number of consecutive years that a person may purchase annual permits to exempt themselves from hunter education requirements. - Amends TCA Section 70-2-108. by \*Travis. (SB1237 by \*Bell)

On motion, House Bill No. 1079 was made to conform with **Senate Bill No. 1237**; the Senate Bill was substituted for the House Bill.

Rep. Travis moved that **Senate Bill No. 1237** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	2

1373

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Madam Speaker Harwell -- 94

Representatives voting no were: Swann, Wirgau -- 2

A motion to reconsider was tabled.

**House Bill No. 867** -- Physicians and Surgeons - As introduced, specifies that a physician's referral for mammography screening be to a radiologist or other lawfully appropriate provider. - Amends TCA Title 56; Title 63 and Title 68. by \*Shepard, \*Hazlewood, \*Johnson, \*Love, \*Beck, \*Towns, \*Fitzhugh. (\*SB358 by \*Dickerson)

Rep. Shepard moved that House Bill No. 867 be passed on third and final consideration.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 867 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following as a new section to be appropriately designated:

(a) A managed health insurance issuer, as defined by § 56-32-128(a), that has contracted with a physician's practice to be a part of that health insurance plan's network of providers shall not directly contact or employ an agent to directly contact a patient of the physician's practice in an effort to change a referral for services to another provider, unless the following occurs:

(1) The ordering physician, the nurse practitioner under the physician's supervision, the physician assistant under the physician's supervision, or a representative of one (1) of the providers is given the opportunity to indicate a particular preference as to the provider of a requested service. In the event a managed health insurance issuer or its agent contacts the patient to suggest alternative providers, the patient

shall be notified that the ordering provider indicated a particular preference;

(2) The ordering physician, the nurse practitioner under the physician's supervision, the physician assistant under the physician's supervision, or a representative of one (1) of the providers is notified if the patient elects a provider other than that requested by the ordering provider if the ordering provider indicated a particular preference; and

(3) The patient is provided orally or electronically with a disclosure that the patient has a right to discuss the change of referral with the patient's ordering physician, the nurse practitioner under the physician's supervision, the physician assistant under the physician's supervision, or a representative of one (1) of the providers, before the appointment is changed.

(b) Nothing in this section is intended to prohibit an insurer or the insurer's agent from contacting its enrollees in a health plan to inform the patient that a provider is not included in the patient's network and that there may be out-of-network costs incurred by using that provider.

(c) A violation of this section shall be considered an unfair trade practice under the Tennessee Unfair Trade Practices and Unfair Claims Settlement Act of 2009, compiled in chapter 8, part 1, of this title.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

### **Amendment No. 2**

AMEND House Bill No. 867 by adding the following new subsection at the end of SECTION 1 as amended:

(d) This section shall not apply to:

(1) TennCare or any successor program provided for in title 71, chapter 5;

(2) CoverKids or any successor program provided for in title 71, chapter 3, part 11;

(3) Cover Tennessee or any successor program provided for in chapter 7, part 30, of this title;

(4) Access Tennessee or any successor program provided for in chapter 7, part 29, of this title; or

(5) A program for home-based and community-based services to eligible individuals served through a health care financing administration (HCFA) approved waiver.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Sargent moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 867 by deleting subsection (c) in SECTION 1 and substituting instead the following:

(c) The commissioner may assess a civil penalty for a violation of this section pursuant to § 56-2-305.

On motion, House Amendment No. 3 was adopted.

Rep. Shepard moved that **House Bill No. 867**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 1092** -- Taxes, Hotel Motel - As introduced, authorizes Grundy County, by resolution adopted by a two-thirds vote, to levy an occupancy tax of not more than five percent on the privilege of staying in any hotel or motel in Grundy County; the ordinance must set forth the manner of collection and administration of the privilege tax. - Amends TCA Section 67-4-1425. by \*Dunlap. (\*SB929 by \*Bowling, \*Bailey)

On motion, House Bill No. 1092 was made to conform with **Senate Bill No. 929**; the Senate Bill was substituted for the House Bill.

Rep. Dunlap moved that Senate Bill No. 929 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunlap moved that **Senate Bill No. 929** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes.....	3
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 86

Representatives voting no were: Daniel, Moody, Terry -- 3

Representatives present and not voting were: Durham, Kane, Powers, Sparks, Todd, Windle -- 6

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 929** and have this statement entered in the Journal: Rep. Moody.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 929** and have this statement entered in the Journal: Rep. Holt.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 929** and have this statement entered in the Journal: Rep. Lynn.

### REGULAR CALENDAR NO. 2, CONTINUED

**\*House Bill No. 981** -- Taxes, Hotel Motel - As introduced, authorizes Johnson City to adjust its hotel-motel tax rate. - Amends TCA Title 67, Chapter 4, Part 14. by \*Hill M. (SB1184 by \*Crowe, \*Ketron)

On motion, House Bill No. 981 was made to conform with **Senate Bill No. 1184**; the Senate Bill was substituted for the House Bill.

Rep. M. Hill moved that Senate Bill No. 1184 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. Hill moved that **Senate Bill No. 1184** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	3
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 87

Representatives voting no were: Daniel, Terry, Windle -- 3

Representatives present and not voting were: Durham, Kane, Powers, Sparks, Todd -- 5

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1184** and have this statement entered in the Journal: Rep. Moody.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1184** and have this statement entered in the Journal: Rep. Holt.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 1184** and have this statement entered in the Journal: Rep. Lynn.

**REGULAR CALENDAR NO. 2, CONTINUED**

**House Bill No. 1036** -- Drug and Alcohol Rehabilitation - As introduced, enacts the "Addiction Treatment Act of 2015." - Amends TCA Title 33; Title 53; Title 56 and Title 63. by \*Dunn, \*Haynes. (\*SB871 by \*Dickerson, \*Yager)

On motion, House Bill No. 1036 was made to conform with **Senate Bill No. 871**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 871 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 871 by deleting Section 2(b) in its entirety and substituting instead the following:

(b) Any person who in good faith seeks medical assistance for a person experiencing or believed to be experiencing a drug overdose shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. Any person who is experiencing a drug overdose and who in good faith seeks medical assistance for or is the subject of a request for medical assistance shall not be arrested, charged, or prosecuted for a drug violation if the evidence for the arrest, charge, or prosecution of the drug violation resulted from seeking such medical assistance. This immunity from being arrested, charged, or prosecuted shall apply to the person experiencing a drug overdose only on the person's first such drug overdose. Any such person shall also not be subject to the following, if related to the seeking of medical assistance:

(1) Penalties for a violation of a permanent or temporary protective order or restraining order; or

(2) Sanctions for a violation of a condition of pretrial release, condition of probation, or condition of parole based on a drug violation.

**AND FURTHER AMEND** by adding the following language as new subsections to the amendatory language of Section 3:

(e) This section shall not apply to perioperative surgery or ventilator sedation that is performed in a licensed healthcare facility set forth in § 68-11-201(3) or (26).

(f) When patients are admitted as inpatients of a hospital, or registered as outpatients of a hospital, prescribers may continue orders for these drug products as part of a medication reconciliation process to continue home medications as previously prescribed and without restrictions pertaining to the use of the product until the patient is discharged from the facility. However,

prescriptions written upon discharge from the facility and intended to be filled by the patient at a retail pharmacy and consumed post-discharge shall follow the requirements of this section.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Dunn moved that **Senate Bill No. 871**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

### **JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Holt voted "aye" on **Senate Bill No. 871**.

### **REGULAR CALENDAR NO. 2, CONTINUED**

**House Bill No. 519** -- Criminal Offenses - As introduced, repeals the offense of failure to put the name of the grower or packer on a produce container and repeals the offense of failure of a purchaser of timber to obtain a bill of sale from the seller. - Repeals TCA Section 39-14-129 and Section 39-14-410. by \*Halford. (\*SB40 by \*Kelsey)

On motion, House Bill No. 519 was made to conform with **Senate Bill No. 40**; the Senate Bill was substituted for the House Bill.

Rep. Halford moved that Senate Bill No. 40 be passed on third and final consideration.

Rep. Holt moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.



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Rep. Halford moved that **Senate Bill No. 40** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 181** -- Highways, Roads and Bridges - As introduced, extends a municipality's reporting deadline to the general assembly under a pilot program for the use of golf carts on certain public roads from February 1 to March 15. - Amends TCA Title 55. by \*Matlock. (\*SB130 by \*Tracy)

On motion, House Bill No. 181 was made to conform with **Senate Bill No. 130**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 130 be passed on third and final consideration.

Rep. Rogers moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 130 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Historic Collierville;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor

vehicle and the fee provided for in § 55-4-203, shall be issued a Historic Collierville new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall contain the logo or other appropriate design representative of historic Collierville, Shelby County, Tennessee, and shall include the language "Historic Collierville". The plates shall be designed in consultation with Main Street Collierville.

(c) In accordance with § 55-4-215, the funds produced from the sale of the Historic Collierville new specialty earmarked license plates shall be allocated to Main Street Collierville. The funds shall be used exclusively for Main Street Collierville's community-wide effort to create and implement a shared vision for the future of Collierville, Tennessee.

(d) Notwithstanding § 55-4-201(h)(1), the Historic Collierville new specialty earmarked license plates authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2016, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

(e) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Multiple Sclerosis Foundation Inc.;

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Multiple Sclerosis Foundation Inc. new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Multiple Sclerosis Foundation Inc.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Multiple Sclerosis Foundation Inc. The funds shall be used in furtherance of the Multiple Sclerosis Foundation Inc.'s activities in this state.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 5. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Soulsville, U.S.A.;

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Soulsville, U.S.A., new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Soulsville Foundation, Inc.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Soulsville Foundation, Inc. The funds shall be used in furtherance of the Soulsville Foundation, Inc.'s mission to provide leadership and financial support that promotes and utilizes the music and heritage of Soulsville, U.S.A., to develop young people for lifelong success.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Wingz of Love;

SECTION 8. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Wingz of Love new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Wingz of Love Foundation.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Wingz of Love Foundation. The funds shall be used in furtherance of the Wingz of Love Foundation's mission to bring unity to all who share the love of riding motorcycles and to raise money for the families of fallen bikers.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 9. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Vanderbilt University Athletic Department;

SECTION 10. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Vanderbilt University Athletic Department new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the Vanderbilt University Athletic Department.

(c) In accordance with § 55-4-215, the funds produced from the sale of the Vanderbilt University Athletic Department new specialty earmarked license plates shall be allocated to the Vanderbilt University Board of Trust, for distribution to the Vanderbilt University Athletic Department. The funds shall be used exclusively to fund scholarships for student athletes at Vanderbilt University.

SECTION 11. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) 2014 College World Series Champions - Vanderbilt University;

SECTION 12. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a 2014 College

World Series Champions - Vanderbilt University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the College World Series Champion, the Vanderbilt University baseball team. The plates shall be designed in consultation with the Vanderbilt University Athletic Department.

(c) In accordance with § 55-4-215, the funds produced from the sale of the 2014 College World Series Champions - Vanderbilt University new specialty earmarked license plates shall be allocated to the Vanderbilt University Board of Trust, for distribution to the Vanderbilt University Athletic Department. The funds shall be used exclusively to fund scholarships for student athletes at Vanderbilt University.

SECTION 13. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as new, appropriately designated subdivisions:

- ( ) Combat Action Badge;
- ( ) Combat Infantry Badge;
- ( ) Combat Medical Badge;

SECTION 14. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new section:

(a) A recipient of the Combat Action Badge, Combat Infantry Badge, or Combat Medical Badge who is a resident of this state and who is an owner or lessee of a motor vehicle, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a distinctive Combat Action Badge, Combat Infantry Badge, or Combat Medical Badge new specialty earmarked plate, as appropriate, for a motor vehicle authorized by § 55-4-210(c).

(b)

(1) The Combat Action Badge plates provided for in this section shall include an identification legend distinctive to recipients of the Combat Action Badge. The legend shall read "Combat Action Badge." The registration number of the plate shall include the letters "CAB" and a unique identifying number.

(2) The Combat Infantry Badge plates provided for in this section shall include an identification legend distinctive to recipients of the Combat Infantry Badge. The legend shall read "Combat Infantry Badge."

The registration number of the plate shall include the letters "CIB" and a unique identifying number.

(3) The Combat Medical Badge plates provided for in this section shall include an identification legend distinctive to recipients of the Combat Medical Badge. The legend shall read "Combat Medical Badge." The registration number of the plate shall include the letters "CMB" and a unique identifying number.

(c) The funds produced from the sale of Combat Action Badge, Combat Infantry Badge, and Combat Medical Badge new specialty earmarked license plates shall be equally allocated to Centerstone Military Services Inc. and SAFE: Soldiers and Families Embraced Inc., in accordance with § 55-4-215. The funds shall be used exclusively in this state to provide resources and support to veterans, service members, and their families.

(d) Eligibility for the Combat Action Badge, Combat Infantry Badge, and Combat Medical Badge plates shall be determined by the department by consulting the appropriate information on the DD214 form, or in a case of military service predating 1950, in consultation with appropriate information on the equivalent form or on other official documentation, or a written communication from the department of veterans affairs, the form, documentation, or communication certifying that the application for the plate is submitted by a recipient of the Combat Action Badge, Combat Infantry Badge, or Combat Medical Badge, as appropriate.

SECTION 15. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Make-A-Wish Foundation;

SECTION 16. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Make-A-Wish Foundation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Make-A-Wish Foundation. The plates shall be designed in consultation with a representative of the Make-A-Wish Foundation of East Tennessee/North Georgia, Inc.

(c) In accordance with § 55-4-215, the funds produced from the sale of the Make-A-Wish Foundation new specialty earmarked license plates shall be

allocated to the Make-A-Wish Foundation of East Tennessee/North Georgia, Inc., for distribution to the three (3) Make-A-Wish Foundation chapters serving Tennessee with an allocation of one-third (1/3) to each chapter, to be used exclusively in Tennessee to further the Foundation's mission to help strengthen and empower children with life-threatening medical conditions.

SECTION 17. Tennessee Code Annotated, Section 55-4-310, is amended by adding the following new subsection:

(e)

(1) Subject to the requirements of § 55-4-201, the commissioner is authorized to and shall issue a registration plate to an owner or lessee of a motorcycle who is otherwise eligible for a Tennessee Association of Realtors new specialty earmarked license plate; provided, however, that the owner or lessee shall comply with the state motor vehicle laws relating to registration and licensing of motorcycles and shall pay the regular fee applicable to motorcycles and the applicable fee specified in § 55-4-203 prior to the issuance of the plate.

(2) The motorcycle plates authorized by this section shall be substantially the same in design and configuration, allowing for variations due to size restrictions, as the regular motor vehicle registration plates authorized by § 55-4-202(c)(7), as applicable.

SECTION 18. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Rotary International;

SECTION 19. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Rotary International new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with a Rotary district governor who resides in this state to be designated by the district governors representing Rotary districts 6760, 6780, 6800, and 7570.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to Rotary International. The funds shall be used in furtherance of Rotary's activities in this state.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 20. Tennessee Code Annotated, Section 55-4-230(d), is amended by deleting the subsection in its entirety and substituting instead the following:

(d) Notwithstanding § 55-4-201(h)(1), the Native American Indian Association new specialty earmarked license plates authorized pursuant to this section shall have until July 1, 2016, or one (1) year from the effective date of this act, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 21. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Scenic and Historic Gallatin;

SECTION 22. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Scenic and Historic Gallatin new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall be of an appropriate design representative of scenic and historic Gallatin, Sumner County, Tennessee, and shall include the language "Scenic and Historic Gallatin." The plates shall be designed in consultation with the Gallatin Chamber of Commerce.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Gallatin Chamber of Commerce. The funds shall be used exclusively for the Gallatin Chamber of Commerce's community-wide effort to create and implement a shared vision for the future of Gallatin, Tennessee.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plate authorized by this section.

SECTION 23. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Cystic Fibrosis Awareness;

SECTION 24. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:



(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Cystic Fibrosis Awareness new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall contain the logo or other appropriate design representative of the Cystic Fibrosis Foundation. The plates shall be designed in consultation with the Cystic Fibrosis Foundation.

(c) The funds produced from the sale of the Cystic Fibrosis Awareness new specialty earmarked license plates shall be allocated to the Cystic Fibrosis Foundation, in accordance with § 55-4-215. The funds shall be used to support the organization's mission to fund research and provide access to care and effective treatments for individuals with cystic fibrosis in Tennessee.

SECTION 25. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Germantown Charity Horse Show;

SECTION 26. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Germantown Charity Horse Show new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with a representative of the Germantown Charity Horse Show. Such new specialty earmarked license plates shall contain the logo or other appropriate design representative of the Germantown Charity Horse Show.

(c) The funds produced from the sale of the Germantown Charity Horse Show new specialty earmarked license plates shall be allocated to the Germantown Charity Horse Show, in accordance with § 55-4-215. The funds shall be used to support the various community and charitable activities of the Germantown Charity Horse Show.

SECTION 27. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Supporters of the Blind and Visually Impaired;

SECTION 28. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Supporters of the Blind and Visually Impaired new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Tennessee Council of the Blind. The plates shall be designed in consultation with the Tennessee Council of the Blind.

(c) In accordance with § 55-4-215, the funds produced from the sale of the Supporters of the Blind and Visually Impaired new specialty earmarked license plates shall be allocated to the Tennessee Council of the Blind, for distribution to the Tennessee chapters of the council in amounts as determined by the council. The funds shall be used exclusively in Tennessee by the chapters to further the council's purposes, including enhancing support services, improving the quality of life, and expanding opportunities for persons who are blind or visually impaired, including painting strips of a contrasting color on steps in public places.

SECTION 29. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Donate Life;

SECTION 30. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Donate Life new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the language "Donate Life" and an appropriate logo designed in consultation with a representative from Tennessee Donor Services.

(c) The funds produced from the sale of the Donate Life new specialty earmarked license plates shall be allocated to Tennessee Donor Services, in accordance with § 55-4-215. The funds shall be used exclusively in this state to aid in the organization's mission to save and enhance lives by connecting people through organ and tissue donation and transplantation.

SECTION 31. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Alzheimer's Association;

SECTION 32. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Alzheimer's Association new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo of the Alzheimer's Disease and Related Disorders Association, Inc., in an appropriate design representative of the association. The plates shall be designed in consultation with a representative of the Alzheimer's Disease and Related Disorders Association, Inc., Mid-South Chapter.

(c) The funds produced from the sale of the Alzheimer's Association new specialty earmarked license plates shall be allocated to the Alzheimer's Disease and Related Disorders Association, Inc., Mid-South Chapter, in accordance with § 55-4-215. The funds shall be used exclusively in this state to aid in the association's fight to eliminate Alzheimer's disease through the advancement of research, to provide and enhance care and support for all affected, and to reduce the risk of dementia through the promotion of brain health.

SECTION 33. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Friends of Sycamore Shoals Historic Area, Inc.;

SECTION 34. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Friends of Sycamore Shoals Historic Area, Inc., new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates shall be of an appropriate design representative of the Gadsden flag, and shall include the language "Don't Tread on Me." Such plates shall be designed in consultation with representatives of the Friends of Sycamore Shoals Historic Area, Inc.

(c) The funds produced from the sale of Friends of Sycamore Shoals Historic Area, Inc. new specialty earmarked license plates shall be allocated to the Friends of Sycamore Shoals Historic Area, Inc., in accordance with § 55-4-215. The funds shall be used to support and promote the Sycamore Shoals State Park in Elizabethton, Tennessee, including, but not limited to, assisting in the development, maintenance, and presentation of the park's grounds and structures.

SECTION 35. Tennessee Code Annotated, Section 55-4-313, is amended by deleting subsection (f) and substituting instead the following:

(f) Notwithstanding § 55-4-201(h)(1), the "Niswonger Children's Hospital" new specialty earmarked license plate authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2016, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 36. Tennessee Code Annotated, Section 55-4-254, is amended by deleting subsection (d) and substituting instead the following:

(d) Notwithstanding § 55-4-201(h)(1), the Tennessee Tech University new specialty earmarked license plate authorized pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2016, whichever is later, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 37. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Music City Inc. Foundation;

SECTION 38. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Music City Inc. Foundation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the trademarked Nashville logo and the language "visitmusiccity.com" referencing the organization's web site.

(c) The funds produced from the sale of Music City Inc. Foundation new specialty earmarked license plates shall be allocated to the Music City Inc. Foundation in accordance with § 55-4-215. The funds shall be used by the Music City Inc. Foundation to further the organization's purpose of maximizing

the hospitality industry's economic contribution to the community and further strengthen the Music City brand.

SECTION 39. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

( ) Ohio State University;

SECTION 40. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Ohio State University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the colors and logo of Ohio State University and shall include any other appropriate design representative of the university. The plates shall be designed in consultation with a representative from the Ohio State Alumni Club of Middle Tennessee.

(c) The funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Ohio State Alumni Club of Middle Tennessee in accordance with § 55-4-215, to be used exclusively for funding scholarships for students from Tennessee.

SECTION 41. If any provision of this act or the application thereof to any person or circumstance is held invalid, then such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 42. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 130**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96

1393

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Noes..... 1

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

Representatives voting no were: Alexander -- 1

A motion to reconsider was tabled.

**\*House Bill No. 1320** -- Taxes, Exemption and Credits - As introduced, for purposes of the exemption from sales tax for industrial machinery, exempts certain co-generation equipment used by a manufacturing facility located in a non-attainment area and that makes a minimum capital investment. - Amends TCA Section 67-6-102. by \*Matlock. (SB1333 by \*McNally, \*Yager)

On motion, House Bill No. 1320 was made to conform with **Senate Bill No. 1333**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 1333 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 1333** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**\*House Bill No. 962** -- Criminal Offenses - As introduced, creates a Class A misdemeanor offense of causing a person under 18 years of age to attend an animal fight; increases the penalty for a second or subsequent conviction for involvement in cockfighting to a Class E felony; increases the penalty for the offense of being a spectator at an animal fight to a Class A misdemeanor. - Amends TCA Section 39-14-203. by \*Lundberg, \*Miller, \*Jernigan, \*Jones, \*Kumar, \*McManus, \*Akbari, \*Camper, \*Terry, \*Clemmons. (SB1024 by \*Ketron, \*Tate, \*Briggs, \*Dickerson, \*Haile, \*Yarbro)

On motion, House Bill No. 962 was made to conform with **Senate Bill No. 1024**; the Senate Bill was substituted for the House Bill.

Rep. Lundberg moved that Senate Bill No. 1024 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lundberg moved that **Senate Bill No. 1024** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes.....	2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 90

Representatives voting no were: Doss, Keisling -- 2

A motion to reconsider was tabled.

**\*House Bill No. 1046** -- Firearms and Ammunition - As introduced, establishes certain procedures regarding the disposition of confiscated or abandoned firearms in state or local custody, including the sale and destruction of such firearms. - Amends TCA Title 38, Chapter 6;

1395

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**MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Section 39-17-1317 and Section 40-33-211. by \*Lamberth, \*McCormick, \*Casada, \*Hill T, \*Durham, \*Reedy, \*VanHuss, \*Hill M, \*Johnson, \*Goins, \*Keisling, \*Halford, \*Gravitt, \*Lollar, \*Hulsey, \*Wilburn, \*Littleton, \*Carr, \*Sexton C, \*Lynn, \*Haynes, \*Sanderson, \*Butt, \*Sargent, \*Swann, \*Holt, \*Harrison, \*Matheny, \*Rogers, \*Sparks, \*Eldridge. (SB1103 by \*Overbey, \*Stevens, \*Yager)

On motion, House Bill No. 1046 was made to conform with **Senate Bill No. 1103**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 1103 be passed on third and final consideration.

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 1103** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 647** -- Salaries and Benefits - As introduced, deletes provisions providing longevity payments for executive branch employees; gives employee a permanent one-time pay increase equal to half of the longevity payment the employee is due as of June 30, 2015; requires remaining funds for employee longevity to be reallocated to the general fund for the sole purpose of funding a merit pay system. - Amends TCA Title 8 and Title 38. by \*McCormick, \*Haynes. (\*SB606 by \*Norris)

On motion, House Bill No. 647 was made to conform with **Senate Bill No. 606**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 606 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.



Rep. Mitchell moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 606 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-23-206(d), is amended by adding the following language as a new subdivision:

(6) Employees of the executive branch in the state service, as defined by § 8-30-102, hired after June 30, 2020.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.

Rep. McCormick moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes ..... 67  
Noes..... 30

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Hill M., Hill T., Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner, Van Huss, Windle -- 30

Rep. Todd moved the previous question, which motion prevailed by the following vote:

Ayes ..... 67  
Noes..... 24

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Weaver, White D., White M., Wilburn, Williams, Madam Speaker Harwell -- 67

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Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Pitts, Powell, Shepard, Towns, Turner, Van Huss, Windle -- 24

Rep. McCormick moved that **Senate Bill No. 606** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	70
Noes .....	26

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 70

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Doss, Dunlap, Fitzhugh, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shepard, Stewart, Towns, Turner, Windle -- 26

A motion to reconsider was tabled.

**House Bill No. 648** -- Salaries and Benefits - As introduced, makes various changes to state, local government, and local education insurance plans. - Amends TCA Title 8, Chapter 27. by \*McCormick. (\*SB607 by \*Norris)

Rep. McCormick moved that House Bill No. 648 be passed on third and final consideration.

Rep. Sargent moved adoption of Pensions and Insurance Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 648 by deleting § 8-27-203(a)(1) in SECTION 2 and substituting the following:

From the appropriations made each year in the general appropriations act, the various departments, agencies, boards, and commissions of state government shall pay, on behalf of each participating covered individual within the respective departments, agencies, boards, and commissions, eighty percent (80%) of the cost of the coverage option for employees and employees' dependents, determined by the state insurance committee to be the basic health plan for funding purposes. In addition to this basic health plan for funding purposes, the state insurance committee may offer other plan options.

**AND FURTHER AMEND** by deleting § 8-27-203(a)(3) in SECTION 2.

**AND FURTHER AMEND** by deleting the language “This subsection” in the last sentence of § 8-27-204(a)(3) in SECTION 2 and substituting the language “This subdivision (a)(3)”.

**AND FURTHER AMEND** by deleting the first sentence of § 8-27-205(b)(1) in SECTION 2 and substituting the following language:

The state insurance committee shall establish a schedule of premiums and is authorized to establish a schedule of defined contributions for retirees eligible for the health benefits established under this part.

**AND FURTHER AMEND** by redesignating § 8-27-205(d) in SECTION 2 as § 8-27-205(e) and adding the following language as new § 8-27-205(d):

(d) The state insurance committee shall extend eligibility to the dependents of retired state employees who are eligible for the retiree coverage authorized in this section. The state insurance committee may determine which dependents are eligible, and what documentation is required to establish eligibility, subject to the requirements of state and federal law. Eligibility standards for dependents will be approved at public meetings of the state insurance committee and published in the plan documents. The state may deny coverage to the spouses of retired state employees who are eligible for similar group health insurance through their employers.

**AND FURTHER AMEND** by deleting the language “thirty (30) years of service” in the third sentence of § 8-27-209(d)(1) in SECTION 2 and substituting the language “thirty (30) or more years of service”.

**AND FURTHER AMEND** by deleting the language “may establish” from the first sentence of § 8-27-305(a) in SECTION 3 and substituting the language “shall establish”.

**AND FURTHER AMEND** by adding the language “with the exception that the local education insurance committee shall not waive the verification requirement in subdivision (c)(1)(A)” at the end of the second sentence of § 8-27-304(e) in SECTION 3.

**AND FURTHER AMEND** by adding the following language as a new subsection to § 8-27-205 in Section 2:

(f)

(1) The commissioner of finance and administration, the chair of the finance ways and means committee of the senate, the chair of the finance, ways and means committee of the house of representatives, and the chair of the consolidated retirement board shall serve as trustees of any defined contribution plan or related investment vehicle established as a health benefit by the state insurance committee under this section. The

trustees shall have the authority to implement any such defined contribution plan or related investment vehicle. Notwithstanding § 8-27-103(a), such authority shall include, but not be limited to, administering any contract related to such defined contribution plan or related investment vehicle, procuring services necessary or desirable for efficient administration of the investment vehicles used for the health benefit and overseeing the investment policy for any investment vehicles used.

(2) The trustees shall delegate the duty to conduct the day-to-day responsibilities for managing the investment vehicles to the state treasurer.

(3) The costs associated with administering any such defined contribution plan or related investment vehicle shall be assessed to the funds generated by any such defined contribution plan or related investment vehicle and, if necessary, to the employee benefits trust.

(4) This subsection (f) shall be effective September 1, 2015.

**AND FURTHER AMEND** by adding the following language as a new subsection to § 8-27-305 in Section 3:

(f)

(1) The commissioner of finance and administration, the chair of the finance ways and means committee of the senate, the chair of the finance, ways and means committee of the house of representatives, and the chair of the consolidated retirement board shall serve as trustees of any defined contribution plan or related investment vehicle established as a health benefit by the local education insurance committee under this section. The trustees shall have the authority to implement any such defined contribution plan or related investment vehicle. Notwithstanding § 8-27-103(a), such authority shall include, but not be limited to, administering any contract related to such defined contribution plan or related investment vehicle, procuring services necessary or desirable for efficient administration of the investment vehicles used for the health benefit and overseeing the investment policy for any investment vehicles used.

(2) The trustees shall delegate the duty to conduct the day-to-day responsibilities for managing the investment vehicles to the state treasurer.

(3) The costs associated with administering any such defined contribution plan or related investment vehicle shall be assessed to the funds generated by any such defined contribution plan or related investment vehicle and, if necessary, to the employee benefits trust.

(4) This subsection (f) shall be effective September 1, 2015.

**AND FURTHER AMEND** by adding the following language as a new subsection to § 8-27-705 in Section 4:

(d)

(1) The commissioner of finance and administration, the chair of the finance ways and means committee of the senate, the chair of the finance, ways and means committee of the house of representatives, and the chair of the consolidated retirement board shall serve as trustees of any defined contribution plan or related investment vehicle established as a health benefit by the local government insurance committee under this section. The trustees shall have the authority to implement any such defined contribution plan or related investment vehicle. Notwithstanding § 8-27-103(a), such authority shall include, but not be limited to, administering any contract related to such defined contribution plan or related investment vehicle, procuring services necessary or desirable for efficient administration of the investment vehicles used for the health benefit and overseeing the investment policy for any investment vehicles used.

(2) The trustees shall delegate the duty to conduct the day-to-day responsibilities for managing the investment vehicles to the state treasurer.

(3) The costs associated with administering any such defined contribution plan or related investment vehicle shall be assessed to the funds generated by any such defined contribution plan or related investment vehicle and, if necessary, to the employee benefits trust.

(4) This subsection (d) shall be effective September 1, 2015.

**AND FURTHER AMEND** by adding the following as a new subdivision at the end of § 8-27-203(a) in Section 2:

(3) The provisions of the basic health plan and other plan options and the state premium support amounts thereto pursuant to this subsection (a) must comply with a written policy approved by the Council on Pensions and Insurance before becoming effective.

**AND FURTHER AMEND** by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Title 8, Chapter 27, is amended by adding the following language as a new part:

**8-27-801.** As used in this part, unless the context otherwise requires:

(1) “Other post-employment benefits” or “post-employment benefits” means non pension benefits paid on behalf of former state employees or the former state employees’ beneficiaries after separation from service. The benefits may include, but shall not be limited to, medical, prescription drugs, dental, vision, hearing, Medicare part B or part D premiums, life insurance, long-term care, and long-term disability.

(2) “Trustees” means the four trustees designated in § 8-27-205(e).

**8-27-802.**

(a) The trustees shall establish an investment trust or trusts for the purpose of pre-funding other post-employment benefits accrued by employees of the state, to be paid as they come due in accordance with the arrangements between the state, the plan members and their beneficiaries.

(b) The trustees must adopt, in writing, an investment policy or policies authorizing how assets in the trust(s) may be invested.

(c) The trust(s) may invest in any security or investment in which the Tennessee consolidated retirement system is permitted to invest; provided, that investments by the trust shall be governed by the investment policies and guidelines adopted by the trustees in accordance with this part. The trustees shall delegate to the state treasurer the responsibility for the investment and reinvestment of trust funds in accordance with the policies and guidelines established by the trustees.

(d) The trust must conform to all applicable laws, rules, and regulations of the internal revenue service, if any.

**8-27-803.**

(a) Any trust created under this part shall be an irrevocable trust and the assets thereof shall be preserved, invested and expended solely pursuant to and for the purposes of this part and shall not be loaned or otherwise transferred or used for any other purpose. The assets of the trust(s) shall be expended solely to:

(1) Make payments for other post-employment benefits pursuant to and in accordance with terms of the state’s post-employment benefit plans.

(2) Pay the cost of administering the trust.

(b) The state treasurer shall administer any trust created under this part. The attorney general and reporter shall approve the terms of any trust created under this part.

(c) Any investment trust so created shall have the powers, privileges and immunities of a corporation; and all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held in trust for the purpose for which received.

(d) Notwithstanding any law to the contrary, all assets, income and distributions of the investment trust shall be protected against the claims of creditors of the state, plan administrators, and plan participants, and shall not be subject to execution, attachment, garnishment, the operation of bankruptcy, the insolvency laws or other process whatsoever, nor shall any assignment thereof be enforceable in any court.

**8-27-804.**

(a) The initial funding of any trust created under this part shall be from appropriations made in the general appropriations act for such purpose.

(b) Unexpended funds remaining in any trust or trusts created under this part in any fiscal year shall not revert to the general fund;

(c) The funds transferred to any trust created under this part may be commingled with, co-invested with, and invested or reinvested with other assets transferred to the trust(s). All or a portion of the trust(s) may be invested, reinvested and co-invested with other funds, not a part of the trust(s), held by the state treasurer, including, but not limited to, assets of the Tennessee consolidated retirement system and the state pooled investment fund established pursuant to title 9, chapter 4, part 6. The state treasurer shall account for such trust funds in one (1) or more separate accounts in accordance with this section and other law.

**8-27-805.** In addition to the powers granted by any other provisions of this part, the trustees shall have the powers necessary or convenient to carry out the purposes and provisions of this part and the purposes and objectives of the investment trust or trusts, including, but not limited to, the following express powers:

(1) To invest any funds of the trust in any instrument, obligation, security, or property that constitutes legal investments, as provided in the investment policy adopted pursuant to §8-27-802(b);

(2) To contract for the provision of all or any part of the services necessary for the management and operation of the investment trust;

(3) To contract with financial consultants, auditors, and other consultants as necessary to carry out its responsibilities under this part;

(4) To contract with an actuary or actuaries in determining the level of funding necessary by the state to fund the other post-employment benefits offered by the subdivision;

(5) To prepare annual financial reports, including financial statements following the close of each fiscal year relative to the activities of the trust(s). The statements and reports shall be prepared in accordance with the governmental accounting standards board. The annual report, including financial statements, all books, accounts and financial records of any trust created under this part shall be subject to audit by the comptroller of the treasury.

**8-27-806.** Nothing in this part shall be construed to define or otherwise grant any rights or privileges to other post-employment benefits. The rights and privileges, if any, shall be governed by the terms of the state's post-employment benefit plans.

On motion, Pensions and Insurance Amendment No. 1 was adopted.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 648 by adding the following sentence to the end of § 8-27-204(d) of the amendatory language of SECTION 2:

Any denial of coverage made pursuant to this subsection (d) and based on an employee's spouse's eligibility for similar group health insurance through the spouse's employer shall apply only to employees whose employment commenced on or after July 1, 2015.

**AND FURTHER AMEND** by adding the following sentence to the end of § 8-27-205(d) of the amendatory language of Section 2:

Any denial of coverage made pursuant to this subsection (d) and based on a retiree's spouse's eligibility for similar group health insurance through the spouse's employer shall only apply to the spouse of a retiree whose employment commenced on or after July 1, 2015.

On motion, State Government Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Todd moved the previous question, which motion prevailed by the following vote:

Ayes .....	67
Noes .....	29

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 67



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Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Kumar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Towns, Turner, Windle -- 29

Rep. McCormick moved that **House Bill No. 648**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	67
Noes .....	30

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Keisling, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Doss, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Kane, Kumar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shepard, Stewart, Towns, Turner, Windle -- 30

A motion to reconsider was tabled.

**House Bill No. 290** -- Agriculture, Dept. of - As introduced, reestablishes and revises the Tennessee agriculture regulatory fund; revises fee provisions and authorizes multiple fees to be set by rule. - Amends TCA Title 43; Title 44; Title 47; Title 53 and Title 62. by \*McCormick, \*Brooks K, \*McDaniel. (\*SB321 by \*Norris)

On motion, House Bill No. 290 was made to conform with **Senate Bill No. 321**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 321 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McDaniel moved that Senate Bill No. 321 be reset for the next available space on the next available calendar, which motion prevailed.

**House Bill No. 103** -- Insurance, Health, Accident - As introduced, extends the CoverKids Act of 2006 from June 30, 2015, to June 30, 2020. - Amends TCA Section 71-3-1113. by \*McCormick, \*Brooks K, \*Kane, \*Favors. (\*SB114 by \*Norris, \*Watson, \*Overbey)

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On motion, House Bill No. 103 was made to conform with **Senate Bill No. 114**; the Senate Bill was substituted for the House Bill.

Rep. Kane moved that **Senate Bill No. 114** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 94** -- Workers Compensation - As introduced, revises various provisions of the Workers' Compensation Law. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3, Part 14; Title 8, Chapter 21, Part 4; Title 50, Chapter 6; Title 50, Chapter 9 and Title 50, Chapter 3, Part 7. by \*McCormick, \*Brooks K. (\*SB105 by \*Norris, \*Johnson, \*Ketron)

On motion, House Bill No. 94 was made to conform with **Senate Bill No. 105**; the Senate Bill was substituted for the House Bill.

Rep. Eldridge moved that Senate Bill No. 105 be passed on third and final consideration.

Rep. Pody moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that **Senate Bill No. 105** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes .....	2
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody,

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Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 91

Representatives voting no were: Dunlap, Favors -- 2

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

**House Bill No. 69** -- Fines and Penalties - As introduced, makes various changes to the manner in which the state fire marshal and the commissioner of commerce and insurance assess civil penalties against violators of state law, and rules promulgated pursuant to such law, regarding fire protection sprinkler systems, fire extinguishers and related equipment, and liquefied petroleum gas. - Amends TCA Title 62, Chapter 32, Part 1; Title 62, Chapter 32, Part 2 and Title 68, Chapter 135, Part 1. by \*McCormick, \*Brooks K, \*Ragan. (\*SB79 by \*Norris, \*Southerland)

On motion, House Bill No. 69 was made to conform with **Senate Bill No. 79**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 79 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 79 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-32-111, is amended by deleting the section in its entirety and substituting instead the following language:

The state fire marshal may refuse to issue, renew, suspend, or revoke a certificate of registration or license under this part, if the state fire marshal finds that the applicant, registrant, or licensee has violated this part or any rule lawfully promulgated under this part, including, but not limited to:

(1) Obtaining or attempting to obtain a certificate of registration or license by fraudulent misrepresentation; or

(2) Willfully or consistently failing to comply with any applicable code or standard relating to the sale, installation, or service of fire protection sprinkler systems.

SECTION 2. Tennessee Code Annotated, Section 62-32-117, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection:

(b) In addition to the penalty set forth in subsection (a):

(1) The state fire marshal shall, upon receipt of the first violation, send a written notice of violation which shall include the possible actions that may be taken in response to any second or subsequent violation.

(2) The state fire marshal may issue the following civil penalties for second or subsequent violations of this part or the rules lawfully promulgated under this part:

(A) For a second violation, a civil penalty not to exceed one hundred dollars (\$100);

(B) For a third violation, a civil penalty not to exceed five hundred dollars (\$500); and

(C) For a fourth or subsequent violation, a civil penalty not to exceed one thousand dollars (\$1,000).

SECTION 3. Tennessee Code Annotated, Section 62-32-208, is amended by deleting the section in its entirety and substituting instead the following language:

The commissioner may refuse to issue, renew, suspend, or revoke a certificate of registration, license, or permit, if the commissioner finds that the applicant, registrant, licensee, or permit holder has violated this part or any rule lawfully promulgated under this part.

SECTION 4. Tennessee Code Annotated, Section 62-32-215, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection:

(b) In addition to the penalty set forth in subsection (a):

(1) The commissioner shall, upon receipt of the first violation, send a written notice of violation which shall include the possible actions that may be taken in response to any second or subsequent violation.

(2) The commissioner may issue the following civil penalties for second or subsequent violations of this part or the rules lawfully promulgated under this part:

(A) For a second violation, a civil penalty not to exceed one hundred dollars (\$100);

(B) For a third violation, a civil penalty not to exceed five hundred dollars (\$500); and

(C) For a fourth or subsequent violation, a civil penalty not to exceed one thousand dollars (\$1,000).

SECTION 5. Tennessee Code Annotated, Section 68-135-106, is amended by deleting the section in its entirety and substituting instead the following language:

(a) The state fire marshal may refuse to issue, renew, suspend, or revoke a certificate of registration, license, or permit, if the state fire marshal finds that the applicant, registrant, licensee, or permit holder has violated this part or any rule relating to liquefied petroleum gas promulgated by the state fire marshal under this part or any other law.

(b) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, governs all matters and procedures respecting the hearing and judicial review of any contested case arising under this part.

SECTION 6. Tennessee Code Annotated, Section 68-135-110, is amended by designating the existing language as subsection (a) and by adding the following language as new subsections:

(b) In addition to the penalty set forth in subsection (a):

(1) The state fire marshal shall, upon receipt of the first violation, send a written notice of violation which shall include the possible actions that may be taken in response to any second or subsequent violation.

(2) The state fire marshal may issue the following civil penalties for second or subsequent violations of this part or the rules lawfully promulgated under this part:

(A) For a second violation, a civil penalty not to exceed one hundred dollars (\$100);

(B) For a third violation, a civil penalty not to exceed five hundred dollars (\$500); and

(C) For a fourth or subsequent violation, a civil penalty not to exceed one thousand dollars (\$1,000).

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to violations occurring on or after the effective date of this act.

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On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **Senate Bill No. 79**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	6
Present and not voting .....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 90

Representatives voting no were: Dunlap, Hill T., Moody, Pody, Sparks, Windle -- 6

Representatives present and not voting were: Byrd -- 1

A motion to reconsider was tabled.

**\*House Bill No. 686** -- Common Carriers - As introduced, sets maximum weight limits of axles and axle groups for permitted, nondivisible overweight loads on freight vehicles. - Amends TCA Title 55, Chapter 7. by \*Marsh. (SB817 by \*Tracy)

On motion, House Bill No. 686 was made to conform with **Senate Bill No. 817**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 817 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 817** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth,

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Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 169** -- Taxes, Hotel Motel - As introduced, authorizes the City of Fayetteville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Fayetteville; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. by \*Marsh. (SB186 by \*Tracy)

On motion, House Bill No. 169 was made to conform with **Senate Bill No. 186**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 186 be passed on third and final consideration.

Rep. Marsh moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 186 by deleting the language “three and one-half percent (3.5%)” in the amendatory language of SECTION 1 of the bill and substituting instead the language “five percent (5%)”.

On motion, House Amendment No. 1 was adopted.

Rep. Marsh moved that **Senate Bill No. 186**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	84
Noes.....	3
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Cooper, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 84

Representatives voting no were: Daniel, Lynn, Terry -- 3

Representatives present and not voting were: Powers, Reedy, Sparks, Todd, Windle -- 5

A motion to reconsider was tabled.

**House Bill No. 225** -- Tobacco, Tobacco Products - As introduced, redefines "cost of doing business by the retailer" from eight percent of basic costs of cigarettes to retailer to 15 percent of basic costs of cigarettes to retailer. - Amends TCA Title 47, Chapter 25, Part 3. by \*Marsh, \*Shepard, \*Byrd, \*Butt, \*Eldridge, \*Matheny, \*Wirgau, \*Harrison, \*Hawk, \*Carr, \*Swann, \*Lundberg, \*Pitts, \*McManus. (\*SB199 by \*Crowe, \*Overbey)

On motion, House Bill No. 225 was made to conform with **Senate Bill No. 199**; the Senate Bill was substituted for the House Bill.

Rep. Marsh moved that Senate Bill No. 199 be passed on third and final consideration.

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Marsh moved that **Senate Bill No. 199** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	81
Noes.....	14
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Swann, Terry, Todd, Towns, Travis, Van Huss, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 81

Representatives voting no were: Coley, Dunlap, Keisling, Lollar, Miller, Parkinson, Pody, Rogers, Sparks, Spivey, Stewart, Turner, Weaver, Windle -- 14

Representatives present and not voting were: Faison -- 1

A motion to reconsider was tabled.

### REGULAR CALENDAR NO. 3



**House Bill No. 691** -- Barbers - As introduced, specifies that any barber school or school of cosmetology may seek state authorization, for purposes of meeting institutional eligibility requirements for student financial aid programs, from the Tennessee higher education commission under the Postsecondary Education Authorization Act, and will thereafter be subject to all requirements of the Act. - Amends TCA Title 49 and Title 62. by \*McManus. (\*SB543 by \*Johnson)

On motion, House Bill No. 691 was made to conform with **Senate Bill No. 543**; the Senate Bill was substituted for the House Bill.

Rep. McManus moved that Senate Bill No. 543 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved that **Senate Bill No. 543** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

Representatives present and not voting were: Akbari -- 1

A motion to reconsider was tabled.

**House Bill No. 131** -- Alcoholic Beverages - As introduced, authorizes any establishment in Eagleville that is licensed to serve beer to also serve alcoholic beverages and wine on premises with a premier type tourist resort license. - Amends TCA Title 57, Chapter 4. by \*Johnson, \*Womick. (\*SB18 by \*Ketrone)

On motion, House Bill No. 131 was made to conform with **Senate Bill No. 18**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 18 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Johnson moved that **Senate Bill No. 18** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	63
Noes.....	24
Present and not voting.....	7

Representatives voting aye were: Akbari, Beck, Butt, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lundberg, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Swann, Terry, Todd, Travis, Turner, Weaver, White D., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 63

Representatives voting no were: Armstrong, Brooks H., Brooks K., DeBerry, Dunlap, Dunn, Harrison, Haynes, Hill M., Hill T., Holt, Keisling, Lollar, Love, Lynn, Matlock, Mitchell, Moody, Parkinson, Sexton J., Stewart, Van Huss, White M., Windle -- 24

Representatives present and not voting were: Alexander, Byrd, Doss, Pody, Powers, Smith, Sparks -- 7

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 18** and have this statement entered in the Journal: Rep. Butt.

### REGULAR CALENDAR NO. 3, CONTINUED

**\*House Bill No. 513** -- Pensions and Retirement Benefits - As introduced, authorizes the board of trustees of the Tennessee consolidated retirement system to delegate the responsibilities of operating and administering the retirement system to the state treasurer; transfers responsibility for hearing appeals of initial orders of administrative law judges from the board to the board's executive committee. - Amends TCA Title 8, Chapter 25; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by \*Sargent. (SB1355 by \*McNally)

On motion, House Bill No. 513 was made to conform with **Senate Bill No. 1355**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 1355 be passed on third and final consideration.

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Rep. Harrison moved that Pensions and Insurance Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 1355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 1254** -- Taxes, Real Property - As introduced, authorizes courts to combine or subdivide properties for tax sale purposes; clarifies procedure for dealing with excess tax sale proceeds; revises other provisions concerning tax sales. - Amends TCA Title 35, Chapter 5; Title 66 and Title 67, Chapter 5. by \*Sargent. (SB1216 by \*Johnson)

On motion, House Bill No. 1254 was made to conform with **Senate Bill No. 1216**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 1216 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 1216** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	1
Present and not voting .....	2

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Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 94

Representatives voting no were: Hardaway -- 1

Representatives present and not voting were: Byrd, Windle -- 2

A motion to reconsider was tabled.

**House Bill No. 392** -- Sunset Laws - As introduced, extends the Tennessee athletic commission, June 30, 2015. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 115. by \*Faison, \*Ragan, \*Pitts. (\*SB212 by \*Bell, \*Tate)

On motion, House Bill No. 392 was made to conform with **Senate Bill No. 212**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 212 be passed on third and final consideration.

Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 212** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 368** -- Sunset Laws - As introduced, extends the information systems council, June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 55. by \*Faison, \*Ragan. (\*SB238 by \*Bell)

On motion, House Bill No. 368 was made to conform with **Senate Bill No. 238**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 238 be passed on third and final consideration.

Rep. Ragan moved adoption of Government Operations Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 238 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-236(a), is amended by deleting subdivision (34) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-240(a), is amended by inserting the following language as a new, appropriately designated subdivision:

( ) Information systems council, created by § 4-3-5501;

SECTION 3. Tennessee Code Annotated, Section 4-3-5501, is amended by deleting the section and substituting instead the following:

(a) The entire membership of the information systems council as comprised on June 30, 2015, shall be vacated on July 1, 2015, and new members shall be appointed in accordance with subsection (b).

(b)

(1) There is hereby created an information systems council, to be composed of the following members:

(A) The commissioner of finance and administration;

(B) The commissioner of general services;

(C) The comptroller of the treasury;

(D) The speaker of the senate, or the speaker's designee;

(E) The speaker of the house of representatives, or the speaker's designee;

(F) Two (2) members of the senate, to be appointed by the speaker of the senate;

(G) Two (2) members of the house of representatives, to be appointed by the speaker of the house of representatives;

(H) The director of legislative information systems, appointed pursuant to § 3-16-102;

(I) Two (2) private citizens who have demonstrated expertise and experience in managing large and diverse information management systems, both of whom shall be appointed by the governor. The private citizen members shall each serve three-year terms;

(J) One (1) director of the Tennessee regulatory authority, to be appointed by the chair of the authority, who shall be a member whenever the council considers statewide telecommunications issues or other matters relating directly to areas over which the authority has responsibility;

(K) The chief justice of the supreme court of Tennessee, or the chief justice's designee;

(L) One (1) state employee who has experience in the field of information systems, to be appointed by the governor; and

(M) The chair of the state employee-run information systems management group.

(2) The persons appointed pursuant to subdivisions (b)(1)(A)–(K) shall be voting members of the council.

(3) The persons appointed pursuant to subdivisions (b)(1)(L)–(M) shall be nonvoting members of the council.

(c)

(1) Legislative members of the council shall be appointed for two-year terms and shall serve only so long as they remain members of the general assembly. Any legislative vacancy on the council shall be filled by appointment by the appropriate speaker, for the purpose of serving out the remainder of the unexpired term.

(2) Any vacancy among the private citizen members of the council shall be filled by the governor to serve for the remainder of the unexpired term.

(3) Members appointed pursuant to subdivisions (b)(1)(F), (G), (H), (I), (J), (L), and (M) shall be eligible for reappointment to the council.

(d)

(1) The commissioner of finance and administration shall serve as the chair of the information systems council.

(2) The director of legislative information systems shall serve as vice chair of the council.

(e)

(1) The council shall meet quarterly at a time established by the chair of the council. Special meetings of the council for the transaction of business may be called by the chair by giving written notice to all members.

(2) Eight (8) voting members of the council shall constitute a quorum, and all official action of the council shall require a quorum.

(3)

(A) Members shall attend at least fifty percent (50%) of the required quarterly meetings.

(B) If any council member fails to attend meetings as required by subdivision (3)(A), the chair of the information systems council shall report that member's name and attendance record to the member's appointing authority and the appointing authority shall remove the member from the council.

(f)

(1) Legislative members of the information systems council shall be reimbursed as members of the general assembly are paid for attending legislative meetings as provided in § 3-1-106.

(2) Non-legislative members of the information systems council shall receive no compensation for their work with the council but may be reimbursed for expenses in accordance with the provisions of the comprehensive travel regulations, as promulgated by the department of finance and administration and approved by the attorney general and reporter.

**SECTION 4.** Sections 1 and 2 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections shall take effect July 1, 2015, the public welfare requiring it.

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On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Faison moved that **Senate Bill No. 238**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 157** -- Schools, Charter - As introduced, allows the governing body of a charter school to choose the insurance plans offered to the school's teachers and other full-time permanent employees; removes requirement that charter school employees participate in the state group insurance plan. - Amends TCA Section 49-13-119. by \*Casada. (SB189 by \*Dickerson, \*Gresham)

On motion, House Bill No. 157 was made to conform with **Senate Bill No. 189**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 189 be passed on third and final consideration.

Rep. Holt moved the previous question, which motion prevailed by the following vote:

Ayes .....	65
Noes .....	27

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Terry, Turner, Windle -- 27



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Rep. Casada moved that **Senate Bill No. 189** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	60
Noes.....	30
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carter, Casada, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Halford, Harrison, Hawk, Haynes, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Smith, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Wirgau, Madam Speaker Harwell -- 60

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Camper, Clemmons, Cooper, DeBerry, Dunlap, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Jernigan, Jones, Keisling, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Terry, Towns, Turner, Windle -- 30

Representatives present and not voting were: Hulseley -- 1

A motion to reconsider was tabled.

**House Bill No. 845** -- Alcoholic Beverages - As introduced, allows restaurant or limited service restaurant licensee to also serve alcoholic beverages, including beer, in any area of the premises that is used for the purpose of entertainment activities. - Amends TCA Title 57, Chapter 4. by \*Parkinson, \*Fitzhugh. (\*SB650 by \*Kelsey)

On motion, House Bill No. 845 was made to conform with **Senate Bill No. 650**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 650 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 650** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	64
Noes.....	23
Present and not voting.....	7

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Haynes, Holsclaw, Howell, Hulseley, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny,

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McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Terry, Todd, Towns, Travis, Turner, Weaver, White D., Wilburn, Madam Speaker Harwell -- 64

Representatives voting no were: Brooks H., Brooks K., Byrd, DeBerry, Dunlap, Dunn, Harrison, Hill M., Hill T., Holt, Keisling, Love, Lynn, Matlock, Moody, Pitts, Rogers, Sexton J., Swann, Van Huss, White M., Williams, Wirgau -- 23

Representatives present and not voting were: Butt, Doss, Pody, Powers, Smith, Sparks, Windle -- 7

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. McDaniel voted "aye" on **Senate Bill No. 650**.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 650** and have this statement entered in the Journal: Rep. Alexander.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 650** and have this statement entered in the Journal: Rep. Lollar.

### REGULAR CALENDAR NO. 3, CONTINUED

**House Bill No. 1332** -- Boards and Commissions - As introduced, revises various provisions governing barbers and cosmetologists and the board of cosmetology and barber examiners. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by \*Parkinson, \*Fitzhugh. (\*SB964 by \*Bell)

On motion, House Bill No. 1332 was made to conform with **Senate Bill No. 964**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 964 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

1422

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**Amendment No. 1**

AMEND Senate Bill No. 964 by deleting SECTION 8 and substituting the following:

SECTION 8. Tennessee Code Annotated, Section 62-3-124(a), is amended by deleting the subsection and substituting instead the following:

(a) The board shall issue a certificate of registration as a barber instructor to a person who:

(1)

(A) Files an application with the board in the form that the board may prescribe, accompanied by the examination fee required by § 62-3-129;

(B) Holds a valid certificate of registration as a master barber and has been duly registered as a master barber for a period of at least three (3) years;

(C) Has successfully completed the twelfth grade in an accredited school or the equivalent; and

(D) Successfully completes an examination prescribed by the board; or

(2)

(A) Files an application with the board in a form prescribed by the board, accompanied by the examination fee required by § 62-3-129;

(B) Holds a valid certificate of registration as a master barber and has completed a four-hundred-fifty-hour instructor training program at a board-certified barber school;

(C) Has successfully completed the twelfth grade in an accredited school or the equivalent; and

(D) Successfully completes an examination prescribed by the board.

**AND FURTHER AMEND** by deleting SECTION 17 and substituting the following:

SECTION 17. Tennessee Code Annotated, Section 62-4-110(c)(2), is amended by adding the following language as new subdivisions:

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(D) Has been licensed as a cosmetologist, aesthetician, manicurist, or natural hair stylist pursuant to this chapter for at least three (3) continuous years; and

(E) Seeks to instruct only in the area in which the applicant is currently licensed.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 964**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	56
Noes.....	31
Present and not voting.....	1

Representatives voting aye were: Armstrong, Beck, Brooks H., Brooks K., Calfee, Casada, Clemmons, Coley, Cooper, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Harrison, Hawk, Hazlewood, Holsclaw, Hulsey, Jernigan, Johnson, Kumar, Lamberth, Lollar, Love, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Sargent, Sexton C., Shaw, Shepard, Stewart, Swann, Todd, Travis, Turner, White D., White M., Williams -- 56

Representatives voting no were: Alexander, Byrd, Carter, Daniel, Dunlap, Durham, Goins, Haynes, Hill M., Hill T., Holt, Howell, Kane, Keisling, Littleton, Lundberg, Matlock, Moody, Pitts, Reedy, Rogers, Sanderson, Sexton J., Smith, Sparks, Spivey, Terry, Van Huss, Windle, Wirgau, Madam Speaker Harwell -- 31

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

**House Bill No. 992** -- Transportation, Dept. of - As introduced, enacts the "Transportation Network Company Services Act." - Amends TCA Title 7; Title 54; Title 55; Title 56 and Title 65. by \*Sexton C, \*Brooks K, \*Holt, \*Sparks, \*Casada, \*Kane, \*Goins, \*Travis, \*Keisling, \*Sargent, \*Powers, \*Reedy. (\*SB907 by \*Watson, \*Johnson)

Rep. C. Sexton moved that House Bill No. 992 be passed on third and final consideration.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 992 by deleting all language after the enacting clause and substituting instead the following:

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. This act shall be known and may be cited as the “Transportation Network Company Services Act.”

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 12, is amended by adding the following language as a new section:

**55-12-141.**

(a) As used in this section:

(1) “Digital network” means any online-enabled application, software, web site, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) “Personal vehicle” means a vehicle that is used by a transportation network company driver and is:

(A) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(B) Not a taxicab, limousine, or for-hire vehicle;

(3) “Prearranged ride” means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a taxi, limousine, or other for-hire vehicle regulated pursuant to § 7-51-1003;

(4) “Transportation network company” means a corporation, partnership, sole proprietorship, or other entity operating in this state that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract;

(5) “Transportation network company driver” or “driver” means an individual who:

(A) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(B) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee; and

(6) “Transportation network company rider” or “rider” means a person or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

(b) On and after January 1, 2016, a transportation network company driver or transportation network company on the driver’s behalf shall maintain primary automobile insurance that recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport passengers for compensation and covers the driver while the driver is logged on to the transportation network company’s digital network or while the driver is engaged in a prearranged ride.

(c) The following automobile insurance requirements shall apply while a transportation network company driver is logged on to the transportation network company’s digital network but is not engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least fifty thousand dollars (\$50,000) for death and bodily injury per person, one hundred thousand dollars (\$100,000) for death and bodily injury per incident, and twenty-five thousand dollars (\$25,000) for property damage;

(2) The automobile liability insurance required under this section shall comply with § 56-7-1201; and

(3) The coverage requirements of this subsection (c) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver;

(B) Automobile insurance maintained by the transportation network company; or

(C) Any combination of subdivisions (c)(3)(A) and (B).

(d) The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(1) Primary automobile liability insurance that provides at least one million dollars (\$1,000,000) for death, bodily injury, and property damage;

(2) The automobile liability insurance required under this section shall comply with § 56-7-1201; and

(3) The coverage requirements of this subsection (d) may be satisfied by any of the following:

(A) Automobile insurance maintained by the transportation network company driver;

(B) Automobile insurance maintained by the transportation network company; or

(C) Any combination of subdivisions (d)(3)(A) and (B).

(e) If insurance maintained by a driver under subsection (c) or (d) has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and have the duty to defend such claim.

(f) Coverage under an automobile insurance policy maintained by the transportation network company pursuant to this section shall not be dependent on a personal automobile insurer first denying a claim, nor shall a personal automobile insurance policy be required to first deny a claim.

(g) Insurance required by this section may be placed with an insurer authorized to do business in this state under title 56 or with a surplus lines insurer eligible under title 56, chapter 14.

(h) Insurance satisfying the requirements of this section shall be deemed to satisfy the financial responsibility requirements for a motor vehicle under this chapter while a driver is logged on to the transportation network company's digital network or while the driver is engaged in a prearranged ride; provided, however, nothing in this section shall relieve a motor vehicle driver not logged on to the transportation network company's digital network, or not engaged in a prearranged ride from the financial responsibility requirements for a motor vehicle under this chapter.

(i) A transportation network company driver shall carry proof of coverage satisfying subsections (c) and (d) at all times during the driver's use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly involved parties, automobile insurers, and investigating police officers, upon request made pursuant to § 55-12-139. Upon such request, a transportation network company driver shall also disclose to directly involved parties, automobile insurers, and investigating police officers, whether the driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of the accident.

(j) The transportation network company shall disclose, in writing, to a transportation network company driver the following before the driver is allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(1) The insurance coverage, including the types of coverage and the limits for each coverage that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(2) That the transportation network company driver's personal automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network or is engaged in a prearranged ride, depending on its terms.

SECTION 3. Tennessee Code Annotated, Title 56, Chapter 7, Part 11, is amended by adding the following language as a new section:

**56-7-1118.**

(a) As used in this section:

(1) "Digital network" means any online-enabled application, software, web site, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) "Personal vehicle" means a vehicle that is used by a transportation network company driver and is:

(A) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(B) Not a taxicab, limousine, or for-hire vehicle;

(3) "Prearranged ride" means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a taxi, limousine, or other for-hire vehicle regulated pursuant to § 7-51-1003;

(4) "Transportation network company" means a corporation, partnership, sole proprietorship, or other entity operating in this state that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged



rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract;

(5) “Transportation network company driver” or “driver” means an individual who:

(A) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(B) Uses a personal vehicle to provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee; and

(6) “Transportation network company rider” or “rider” means a person or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

(b) Insurers that write automobile insurance in this state may exclude any and all coverage afforded under the policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a driver is logged on to a transportation network company’s digital network or while a driver provides a prearranged ride. This right to exclude all coverage may apply to any coverage included in an automobile insurance policy including, but not limited to:

(1) Liability coverage for bodily injury and property damage;

(2) Uninsured and underinsured motorist coverage;

(3) Medical payments coverage;

(4) Comprehensive physical damage coverage; and

(5) Collision physical damage coverage.

(c) The exclusions in subsection (b) shall apply notwithstanding any requirement under title 56 or under title 55, chapter 12. Nothing in this section requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company’s digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a vehicle to transport passengers for compensation.

(d) Automobile insurers that exclude coverage as described in subsection (b) shall have no duty to defend or indemnify any claim expressly excluded. Nothing in this section shall invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in this state prior to the effective date of this act that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

(e) An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy as described in subsection (b) shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of § 55-12-141 at the time of loss.

(f) In a claims coverage investigation, transportation network companies and any insurer potentially providing coverage under § 55-12-141 shall cooperate to facilitate the exchange of relevant information with directly involved parties and any insurer of the transportation network company driver, if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under § 55-12-141.

(g) Nothing in this section shall preclude an insurer from providing coverage for a transportation network company driver's vehicle, if it so chooses to do so by contract or endorsement.

SECTION 4. Tennessee Code Annotated, Title 65, Chapter 15, is amended by adding the following language as a new part:

**65-15-301.** As used in this part:

(1) "Digital network" means any online-enabled application, software, web site, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) "Personal vehicle" means a vehicle that is used by a transportation network company driver and is:

(A) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(B) Not a taxicab, limousine, or for-hire vehicle;

(3) "Prearranged ride" means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while

the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a taxi, limousine, or other for-hire vehicle regulated pursuant to § 7-51-1003;

(4) “Transportation network company” means a corporation, partnership, sole proprietorship, or other entity operating in this state that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract;

(5) “Transportation network company driver” or “driver” means an individual who:

(A) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(B) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee; and

(6) “Transportation network company rider” or “rider” means a person or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

**65-15-302.**

(a) Except as otherwise provided in this part, transportation network companies are governed exclusively by this part.

(b) A transportation network company shall not be deemed to own, control, operate, or manage the personal vehicles used by transportation network company drivers and is not deemed to control or manage transportation network company drivers.

(c) A transportation network company is not subject to any regulations passed by a municipality or other governmental entity governing private passenger for-hire vehicles pursuant to § 7-51-1003 and is not subject to the authority of the department of safety to regulate passenger operations pursuant to part 1 or 2 of this chapter. A transportation network company driver is not a chauffeur as defined in § 55-50-102(7) and is not subject to the requirements relating to commercial driver licenses or commercial vehicles covered under title 55, chapter 50.

(d) Commercial service airports shall have authority to adopt reasonable standards, regulations, procedures, and fees for conducting transportation network services on airport property to promote the safe and efficient use of limited airport resources.

**65-15-303.** A transportation network company shall maintain an agent for service of process in this state.

**65-15-304.** A transportation network company operating in this state shall:

(1) Provide riders with any applicable rates charged for a prearranged ride and the option to receive an estimated fare before the rider enters the driver's motor vehicle;

(2) Use a software application or web site to display a picture of the driver and the license plate number of the motor vehicle utilized for providing the prearranged ride before the rider enters the driver's motor vehicle;

(3) Transmit an electronic receipt to the rider within a reasonable time after the completion of a prearranged ride that lists:

(A) The origin and destination of the trip;

(B) The total time and distance of the trip; and

(C) An itemization of the total fare paid, if any;

(4) Implement a zero-tolerance policy on the use of drugs or alcohol by a driver while a driver provides a prearranged ride or is logged into the transportation network company's digital network but is not providing a prearranged ride, and provide notice of this policy on its web site;

(5) Maintain:

(A) Individual trip records for each driver for at least one (1) year from the date each trip was provided by the driver; and

(B) Driver records for no less than one (1) year from the date on which a driver's activation on the transportation network company's digital network has ended;

(6) Conduct, or have a third party conduct, a local and national criminal background check on any potential driver that includes a multistate criminal records locator or other similar commercial nationwide database with validation;

(7) Conduct a national sex offender registry search for any potential driver;

- (8) Obtain motor vehicle records for any potential driver;
- (9) Comply with § 55-12-141; and
- (10) Comply with § 56-7-1118(f).

**65-15-305.**

(a) A transportation network company operating in this state shall establish procedures to report any complaint about a driver with whom a rider was matched and whom the rider reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

(b) Upon receipt of a rider complaint alleging a violation of the zero-tolerance policy set out in § 65-15-304(4), the transportation network company shall immediately suspend the driver's access to the transportation network company's digital network, and shall conduct an investigation into the reported complaint. The suspension shall last the duration of the investigation.

(c) The transportation network company shall maintain records relevant to a rider complaint made pursuant to this section for a period of at least two (2) years from the date that a complaint is received by the transportation network company.

**65-15-306.** A transportation network company operating in this state shall not permit any individual to act as a driver on its digital network who:

(1) Has been convicted of more than three (3) moving violations in the prior three-year period, or one (1) major violation in the past three-year period, including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;

(2) Has been convicted, within the past seven (7) years, of driving under the influence of drugs or alcohol, fraud, any sexual offense, use of a motor vehicle to commit a felony, a crime involving property damage, theft, any crime involving acts of violence, or acts of terror;

(3) Is a match in the national sex offender registry;

(4) Does not possess a valid driver license;

(5) Does not possess proof of registration for any motor vehicle used to provide a prearranged ride;

(6) Does not possess proof of personal automobile liability insurance that satisfies the requirements of title 55, chapter 12, for any motor vehicle used to provide a prearranged ride; or

(7) Is not at least nineteen (19) years of age.

**65-15-307.** A driver shall not solicit or accept street hails.

**65-15-308.**

(a) The transportation network company shall adopt a policy prohibiting solicitation or acceptance of cash payments from riders and notify drivers of the policy.

(b) Drivers shall not solicit or accept cash payments from riders.

(c) Any payment for a prearranged ride shall be made only electronically using the transportation network center's digital network or software application.

**65-15-309.**

(a) The transportation network company shall adopt a policy of nondiscrimination with respect to passengers and potential passengers and notify transportation network company drivers of the policy.

(b) Drivers shall comply with all applicable laws regarding nondiscrimination against passengers or potential passengers.

(c) Drivers shall comply with all applicable laws relating to accommodation of service animals.

(d) A transportation network company shall not impose additional charges for providing a prearranged ride to persons with physical disabilities because of those disabilities.

(e) A transportation network company shall provide riders an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a transportation network company cannot arrange wheelchair-accessible service in any instance, it shall direct the rider to an alternate provider of wheelchair-accessible service, if available.

(f)

(1) If an accident occurs involving a motor vehicle that is being used to provide a prearranged ride, including when the driver is logged into or otherwise using the transportation network company's digital network, the transportation network company shall provide documentation, upon request by a law enforcement officer, that the driver was logged into the transportation network company's digital network at the time of the accident.

(2) A transportation network company shall comply with any law enforcement investigation involving a transportation network driver or any prearranged ride, including, but not limited to, whether the driver was logged into the transportation network company's digital network.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 992 by deleting the following from § 55-12-141(a)(3) in Section 2; § 56-7-1118(a)(3) in Section 3; and § 65-15-301(3) in Section 4:

A prearranged ride does not include transportation provided using a taxi, limousine, or other for-hire vehicle regulated pursuant to § 7-51-1003;

and substituting instead the following:

A prearranged ride does not include:

(A) Shared expense carpool or vanpool arrangements provided by businesses engaged in the rental of motor vehicles; or

(B) Transportation provided using a taxi, limousine, or other for-hire vehicle regulated pursuant to § 7-51-1003;

**AND FURTHER AMEND** by deleting the language “, or not engaged in a prearranged ride” from § 55-12-141(h) in Section 2 and substituting instead the language “or not engaged in a prearranged ride”.

**AND FURTHER AMEND** by inserting the following new subsection (h) in § 56-7-1118 in Section 3:

(h)

(1) Nothing in this section shall limit the right of a lender or secured party of a driver's vehicle to require a driver to maintain comprehensive or collision damage coverage for a driver's vehicle, or to show evidence of such coverage to the lender or secured party, that would cover the period when the driver is logged on to the transportation network company's digital network but is not engaged in a prearranged ride or when the driver is engaged in a prearranged ride. If the driver fails to maintain the required comprehensive or collision damage coverage, or

to show evidence to the lender or secured party of the coverage upon reasonable request by the lender or secured party, the lender or secured party may obtain the coverage at the expense of the driver and shall have no duty to provide the disclosure under § 56-7-1106.

(2) If a lender or a secured party has a secured interest in a driver's vehicle and a transportation network company's insurer makes a payment for a claim for damage to the driver's vehicle that is covered under comprehensive or collision damage coverage held by the transportation network company, then the transportation network company shall cause its insurer to issue the payment either directly to the vehicle repair shop or jointly to the owner of the vehicle and the primary lender or secured party on the covered vehicle.

**AND FURTHER AMEND** by deleting the language "one (1) year" wherever it appears in § 65-15-304(5) in Section 4 and substituting instead the language "two (2) years".

**AND FURTHER AMEND** by deleting subsection (a) in § 65-15-308 in Section 4 and substituting instead the following:

(a) The transportation network company shall adopt a policy prohibiting a driver, while providing transportation network company services, from the solicitation or acceptance of cash payments from riders and notify drivers of the policy.

**AND FURTHER AMEND** by deleting the language "Drivers shall not solicit" in subsection (b) from § 65-15-308 in Section 4 and substituting instead the following:

While providing transportation network services, drivers shall not solicit

**AND FURTHER AMEND** by deleting the language "an accident" from § 65-15-309(f)(1) in Section 4 and substituting instead the language "a motor vehicle accident".

**AND FURTHER AMEND** by deleting § 65-15-309(f)(2) in Section 4 and substituting instead the following:

(2) A transportation network company shall comply with any law enforcement investigation in which transportation network company trip data may be pertinent.

**AND FURTHER AMEND** by adding the following new subsection (g) to § 65-15-309 in Section 4:

(g) If the transportation network company is informed through the complaint procedure as described in § 65-15-305(a) that a rider reasonably suspects that a driver was under the influence of drugs or alcohol during the course of a trip, the transportation network company shall instruct the rider who filed the complaint to also report the driver's suspected drug or alcohol use to a



local law enforcement agency having jurisdiction over any criminal offense that may have occurred as a result of a driver being under the influence of drugs or alcohol. A transportation network company shall comply with any investigation by the local law enforcement agency.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. McManus moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 992 by deleting the language “to maintain comprehensive or collision damage coverage” from subdivision (h)(1) in § 56-7-1118 in Section 3, as amended by amendment #6386, and substituting instead the language “to maintain comprehensive damage coverage, collision damage coverage, or both”.

On motion, House Amendment No. 3 was adopted.

Rep. Matheny moved the previous question, which motion prevailed.

Rep. C. Sexton moved that **House Bill No. 992**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 6

Representatives voting aye were: Akbari, Alexander, Armstrong, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 88

Representatives voting no were: Beck, Dunlap, Favors, Jones, McCormick, Shaw -- 6

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 992** and have this statement entered in the Journal: Rep. Sparks.

### MOTION TO RESET BILLS

Rep. McCormick moved that all remaining bills set for today's Regular Calendar be reset for the Regular Calendar on April 21, 2015, which motion prevailed.

### SPECIAL ORDER

Without objection, Rep. McCormick moved that the House take up the Message Calendar.

### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 41** -- Bail, Bail Bonds - As introduced, removes provisions allowing judges or magistrates to waive the current 12-hour period during which a defendant charged with a domestic violence offense or an elder abuse offense cannot be released on bail. - Amends TCA Title 40, Chapter 11, Part 1. by \*Lamberth, \*Rogers, \*Ragan, \*Jones, \*Carter, \*Hardaway, \*Powell. (SB610 by \*Dickerson, \*Harris, \*Harper, \*Yarbro, \*Haile, \*McNally)

#### Senate Amendment No. 1

AMEND House Bill No. 41 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by deleting subsection (h) and substituting instead the following:

(h)

(1) A person arrested for the offense of stalking, aggravated stalking, or especially aggravated stalking, as defined in § 39-17-315, or any criminal offense defined in title 39, chapter 13, in which the alleged victim is a victim as defined in § 36-3-601, shall not be released sooner than twelve (12) hours from the time of the arrest if the magistrate or other official duly authorized to release the offender finds that the offender is a continued threat to the alleged victim. The arresting officer shall make official note of the time of the arrest to establish the beginning of the twelve-hour period required by this subsection (h).

(2) If the magistrate finds probable cause to believe the person arrested is a continued threat to the alleged victim, the magistrate shall:

(A) Impose the twelve-hour holding period;

(B) Reduce to writing the reason for the finding and the specific factor, factors, or other facts upon which the magistrate relied; and

(C) Make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be held for the duration of the twelve-hour period mandated in subdivision (h)(1).

(3) If the magistrate finds there is not probable cause to believe the person arrested is a continued threat to the alleged victim, the magistrate shall:

(A) Waive the twelve-hour holding period;

(B) Reduce to writing the reason for the finding and the specific facts upon which the magistrate relied; and

(C) Make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be released prior to the conclusion of the twelve-hour period mandated in subdivision (h)(1).

(4) For purposes of this subsection (h), a person arrested for an offense described in subdivision (h)(1) shall be considered a threat to the alleged victim if:

(A) At the time of the arrest, the alleged victim had a valid ex parte order of protection, order of protection, restraining order, or any order issued by a court of competent jurisdiction prohibiting the arrested person from engaging in abusive behavior;

(B) The person arrested has a prior documented history of violent behavior against the alleged victim or has in the past committed the offenses described in subdivision (h)(1) against the alleged victim or another;

(C) The person arrested used or threatened the use of a deadly weapon against the alleged victim or has done so in the past;

(D) The person arrested appeared to the magistrate to be under the influence of alcohol or a controlled substance;

(E) The person arrested was uncommunicative or uncooperative to the magistrate or statements made to the magistrate by the person arrested were belligerent, unremorseful, or threatening;

(F) The person arrested resisted arrest, threatened the officer, or fled the scene of the alleged crime and knowingly attempted to evade arrest;

(G) The alleged victim, whether because of physical or mental disability, injury inflicted by the person arrested, age, dependents, or lack of resources or transportation, is unable to reach a place of safety or protection in less than twelve (12) hours; or

(H) The cumulative effect of subdivisions (h)(4)(A)—(G), other pertinent factors, or the totality of the circumstances surrounding the occurrence causes the magistrate to believe the person arrested remains a threat to the alleged victim, even if no single factor does.

SECTION 2. Tennessee Code Annotated, Section 40-11-150, is further amended by deleting subsection (k) and substituting instead the following:

(k)

(1) A person arrested for a violation of § 71-6-119, involving physical harm or abuse in which the alleged victim is an adult of advanced age as those terms are defined in § 71-6-102, shall not be released sooner than twelve (12) hours from the time of the arrest if the magistrate or other official duly authorized to release the offender finds that the offender is a continued threat to the alleged victim. The arresting officer shall make official note of the time of the arrest to establish the beginning of the twelve-hour period required by this subsection (k).

(2) If the magistrate finds probable cause to believe the person arrested is a continued threat to the alleged victim, the magistrate shall:

(A) Impose the twelve-hour holding period;

(B) Reduce to writing the reason for the finding and the specific factor, factors, or other facts upon which the magistrate relied; and

(C) Make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be held for the duration of the twelve-hour period mandated in subdivision (k)(1).

(3) If the magistrate finds there is not probable cause to believe the person arrested is a continued threat to the alleged victim, the magistrate shall:

(A) Waive the twelve-hour holding period;

(B) Reduce to writing the reason for the finding and the specific facts upon which the magistrate relied; and

(C) Make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be released prior to the conclusion of the twelve-hour period mandated in subdivision (k)(1).

(4) For purposes of this subsection (k), a person arrested for an offense described in subdivision (k)(1) shall be considered a threat to the alleged victim if:

(A) At the time of the arrest, the alleged victim had a valid ex parte order of protection, order of protection, restraining order, or any order issued by a court of competent jurisdiction prohibiting the arrested person from engaging in abusive behavior;

(B) The person arrested has a prior documented history of violent behavior against the alleged victim or has in the past committed the offenses described in subdivision (k)(1) against the alleged victim or another;

(C) The person arrested used or threatened the use of a deadly weapon against the alleged victim or has done so in the past;

(D) The person arrested appeared to the magistrate to be under the influence of alcohol or a controlled substance;

(E) The person arrested was uncommunicative or uncooperative to the magistrate or statements made to the magistrate by the person arrested were belligerent, unremorseful, or threatening;

(F) The person arrested resisted arrest, threatened the officer, or fled the scene of the alleged crime and knowingly attempted to evade arrest;

(G) The alleged victim, whether because of physical or mental disability, injury inflicted by the person arrested, age, dependents, or lack of resources or transportation, is unable to reach a place of safety or protection in less than twelve (12) hours; or

(H) The cumulative effect of subdivisions (h)(4)(A)—(G), other pertinent factors, or the totality of the circumstances

surrounding the occurrence causes the magistrate to believe the person arrested remains a threat to the alleged victim, even if no single factor does.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**Senate Amendment No. 2**

AMEND House Bill No. 41 by deleting subdivision (h)(4)(E) in the amendatory language of SECTION 1 and substituting instead the following:

(E) The person arrested made belligerent, unremorseful, or threatening statements to the magistrate;

**AND FURTHER AMEND** by deleting subdivision (k)(4)(E) in the amendatory language of SECTION 2 and substituting instead the following:

(E) The person arrested made belligerent, unremorseful, or threatening statements to the magistrate;

**Senate Amendment No. 3**

AMEND House Bill No. 41 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by deleting subsection (h) and substituting instead the following:

(h)

(1) Any offender arrested for the offense of stalking, aggravated stalking, or especially aggravated stalking, as defined in § 39-17-315, or any criminal offense defined in title 39, chapter 13, in which the alleged victim is a victim as defined in § 36-3-601, shall not be released within twelve (12) hours of the time of arrest. The magistrate or other official duly authorized to release the offender may, however, release the offender in less than twelve (12) hours if the official finds that the offender is not a threat to the alleged victim.

(2) The findings shall be reduced to writing. The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of the arrest in order to establish the beginning of the twelve-hour period required by this subsection (h).

(3) If the offender is released prior to the conclusion of the twelve-hour period, the official shall make all reasonable efforts to directly contact the victim

and inform the victim that the person charged with the offense will be released prior to the conclusion of the twelve-hour period mandated in subdivision (h)(1).

SECTION 2. Tennessee Code Annotated, Section 40-11-150, is amended by deleting subdivisions (k)(1) and (k)(2), redesignating subdivision (k)(3), and substituting instead the following:

(k)

(1) Any offender arrested for a violation of § 71-6-119, involving physical harm or abuse in which the alleged victim is an adult of advanced age as those terms are defined in § 71-6-102, shall not be released within twelve (12) hours of the time of arrest. The magistrate or other official duly authorized to release the offender may, however, release the offender in less than twelve (12) hours if the official finds that the offender is not a threat to the alleged victim.

(2) The findings shall be reduced to writing. The written findings must be attached to the warrant and shall be preserved as a permanent part of the record. The arresting officer shall make official note of the time of arrest in order to establish the beginning of the twelve-hour period required by this subsection (k).

(3) If the offender is released prior to the conclusion of the twelve-hour period, the official shall make all reasonable efforts to directly contact the victim and inform the victim that the person charged with the offense will be released prior to the conclusion of the twelve-hour period mandated in subdivision (k)(1).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Lamberth moved that the House concur in Senate Amendments Nos. 1, 2 and 3 to **House Bill No. 41**, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. H. Brooks voted "aye" on the motion to concur in Senate Amendments Nos. 1, 2 and 3 to **House Bill No. 41**.

### MESSAGE CALENDAR, CONTINUED

#### HOUSE ACTION ON SENATE MESSAGES

**House Bill No. 810** -- Sexual Offenders - As introduced, prohibits sexual offenders and violent sexual offenders from being alone with minors in a private place; makes clarifications to the registry such as requiring the offender to divulge social media names and passwords. - Amends TCA Title 40, Chapter 39, Part 2. by \*Littleton, \*Lamberth, \*Moody, \*Holt, \*Goins, \*Durham, \*Casada, \*Weaver, \*Rogers, \*Carr, \*Carter, \*Gravitt, \*Ragan, \*Kane, \*Hardaway. (\*SB679 by \*Massey)

Rep. Littleton moved that the House non-concur in Senate Amendment No. 1 to **House Bill No. 810**, which motion prevailed.

### UNFINISHED BUSINESS

#### RULES SUSPENDED

Rep. McCormick moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 346 out of order, which motion prevailed.

**Senate Joint Resolution No. 346** -- General Assembly, Recess & Reconvene - Recesses Senate from April 16, 2015, until April 21, 2015. by \*Norris.

On motion of Rep. McCormick, the resolution was concurred in.

A motion to reconsider was tabled.

#### RULES SUSPENDED

Rep. Sargent moved that the rules be suspended for the purpose of introducing House Resolution No. 97 out of order, which motion prevailed.

**House Resolution No. 97** -- Lottery, Charitable - Approves 2015–2016 501(c)(3) annual events by the house of representatives, second omnibus list. by \*Sargent.

On motion, the rules were suspended for the immediate consideration of the resolution.

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Rep. Sargent moved to adopt **House Resolution No. 97**, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 97

House Resolution No. 97, having received a vote in the affirmative by two-thirds of the members elected to the Tennessee House of Representative of the One Hundred Ninth General Assembly, was declared adopted.

Without objection, a motion to reconsider was tabled.

### **RULES SUSPENDED**

Rep. Pitts moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 426 out of order, which motion prevailed.

**House Joint Resolution No. 426** -- Memorials, Retirement - Dr. Jesse Register. by \*Pitts.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pitts, the resolution was adopted.

A motion to reconsider was tabled.

### **BILLS WITHDRAWN**

On motion of Rep. Butt, **House Bill No. 1278** was withdrawn from the House.

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

1445

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**MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 82** Rep. Hardaway as prime sponsor.

**House Bill No. 138** Rep. T. Hill as prime sponsor.

**House Bill No. 594** Rep. Love as prime sponsor.

**House Bill No. 695** Rep. Parkinson as prime sponsor.

**House Bill No. 854** Reps. Williams, Camper, Favors, Eldridge, Halford and Gravitt as prime sponsors.

**House Bill No. 977** Reps. K. Brooks, Goins, D. White, Lamberth, Van Huss as prime sponsors.

**House Bill No. 1064** Rep. Akbari as prime sponsor.

**House Bill No. 1147** Reps. Camper, Akbari, Coley, McManus, Turner and Todd as prime sponsors.

**House Bill No. 1157** Rep. Smith as prime sponsor.

**House Bill No. 1368** Reps. Lundberg, Calfee, Carter, Johnson, Lamberth, Van Huss as prime sponsors.

**House Bill No. 1401** Rep. Wirgau as prime sponsor.

**MESSAGE FROM THE SENATE  
April 20, 2015**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 42, 131, 166, 273, 274, 275, 276, 277, 278, 279, 280 and 281; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 20, 2015**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 42, 131, 166, 273, 274, 275, 276, 277, 278, 279, 280 and 281.

JOE MCCORD, Chief Clerk

**ENROLLED BILLS  
April 20, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 84, 95, 122, 137, 151, 578, 707, 776, 995, 1011 and 1221; and find same correctly enrolled and ready for the signatures of the Speakers.

1446

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 20, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and 75; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 20, 2015**

The Speaker announced that she had signed the following: House Resolutions Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74 and 75.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 20, 2015**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 105, 289, 290, 292, 293, 294, 295 and 344; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 20, 2015**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 105, 289, 290, 292, 293, 294, 295 and 344.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 20, 2015**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 105, 289, 290, 292, 293, 294, 295 and 344; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**

**April 20, 2015**

**MONDAY, APRIL 20, 2015 – TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 105, 289, 290, 292, 293, 294, 295 and 344; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 20, 2015**

The Speaker announced that she had signed the following: House Bills Nos. 84, 95, 122, 137, 151, 578, 707, 776, 995, 1011 and 1221.

GREG GLASS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Harrison, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Wilburn, Windle, Wirgau, Madam Speaker Harwell -- 89

**RECESS**

On motion of Rep. McCormick, the House stood in recess until 9:30 a.m., Tuesday, April 21, 2015.